



Coal Mining and Reclamation Permit Incidental Boundary Revision (IBR)

Issued To: AMERICAN ENERGY CORP
43521 Mayhugh Hill Rd.
Beallsville, OH 43716

Telephone: (740) 926-9152

Permit Number: D-425
Application Number: IBR-0425-8
Acreage: 3.10
Effective: 07/01/2003
Expires: 10/21/2004

Type of Operation: Underground (Longwall)

Reason: Slurry Line Construction

LOCATION OF PERMIT AREA

NAME OF LANDOWNERS	T	R	SECTION	LOTS	TOWNSHIP	COUNTY
American Energy Corporation	5	4	34		WASHINGTON	BELMONT
	6	5	4		WAYNE	BELMONT
Ohio Valley Coal Company	5	4	35		WASHINGTON	BELMONT
Roger Bunting	5	4	34		WASHINGTON	BELMONT

The issuance of this IBR means only that the application to conduct a coal mining operation meets the requirements of Chapter 1513 of the Revised Code, and as such DOES NOT RELIEVE the operator of any obligation to meet other federal, state or local requirements.

This IBR is issued in accordance with and subject to the provisions, conditions, and limitations of Chapter 1513 of the Revised Code and Chapters 1501:13-1, 1501:13-3 through 1501:13-14 of the Administrative Code.

The approved water monitoring plan for this IBR is:

Quality: N/A

Quantity: N/A

Note: Any previous condition(s) imposed on this permit, or subsequent adjacent areas, also apply to this IBR unless noted otherwise.

Signature:  **Date:** 07/01/2003
Chief, Mineral Resources Management

OPERATOR



Ohio Department of Natural Resources

BOB TAFT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

Division of Mineral Resources Management

Michael L. Sponsler • Chief
1855 Fountain Square Court-Bldg. H-2
Columbus, Ohio 43224-1383
Phone (614) 265-6633 Fax: (614) 265-7999

May 16, 2003

American Energy Corporation
43521 Mayhugh Hill Road
Beallsville OH 43716

RE: Historic and Prehistoric Properties Clearance
Permit # D-0425 IBR: 3.1 acres (IBR-0425-8)

Dear Applicant:

Your proposed permit area has been given a historic and prehistoric properties clearance by the Division of Mineral Resources Management. This clearance is based on the following reasons: The proposed 3.1 acre Incidental Boundary Revision (IBR) is archaeologically **not** sensitive, per an on-site review by me on April 10, 2003. The stream buffer none in Section 34 had a township road within it in 1903. The remainder of the proposed IBR access route is in steep slope or side slope. No rock outcrops or historic structures exist within, or adjacent to, the proposed route.

Therefore no further coordination on historic and prehistoric properties with the Division will be necessary for this project unless the project size increases or additional information is received by the Division on the presence of historic or prehistoric properties in the project area.

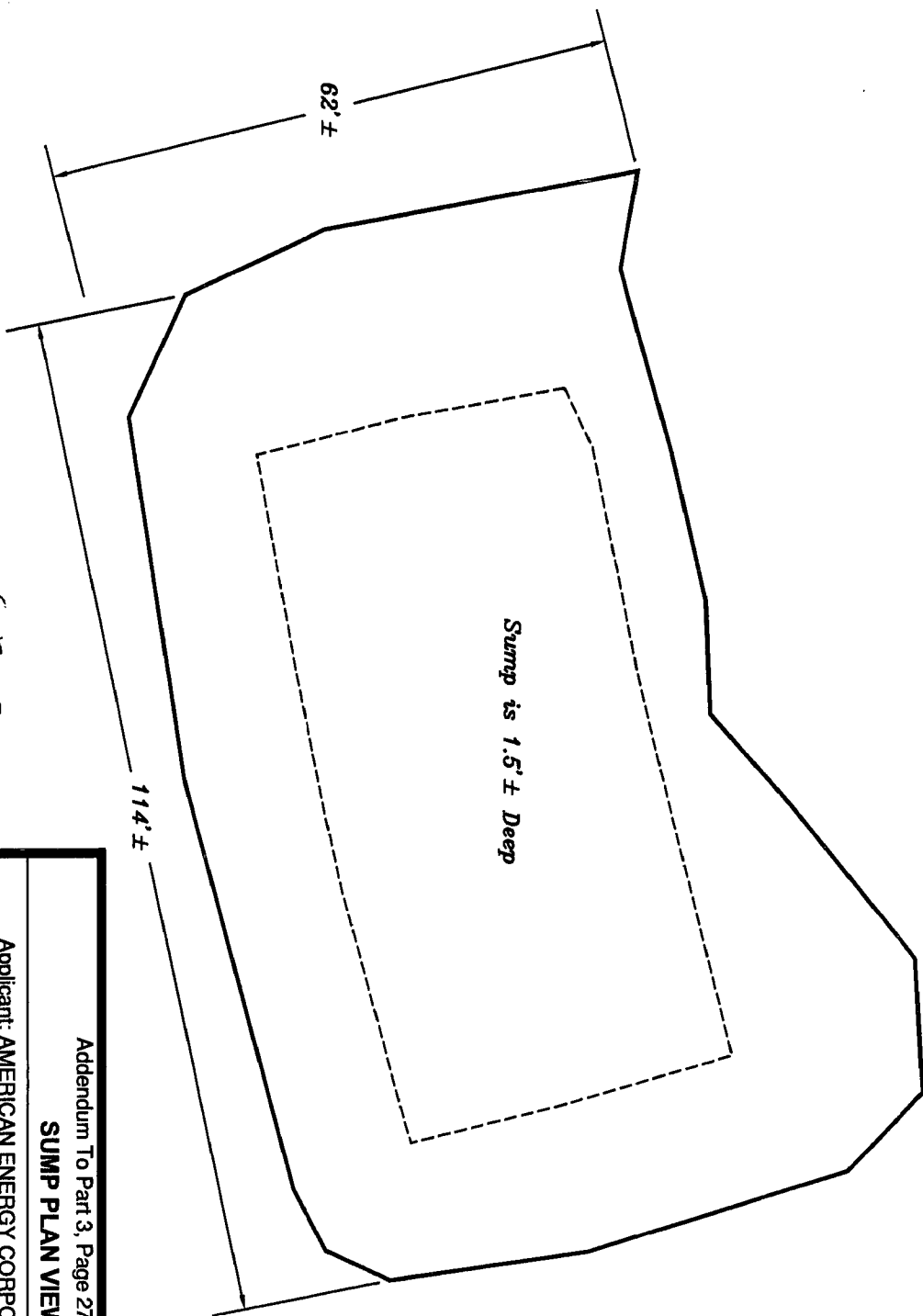
If you have any questions regarding this matter, please contact me at 614-265-6641.

Sincerely,

Jeffrey C. Reichwein, Ph.D
Archaeologist
Division of Mineral Resources
Management

JCR:pat

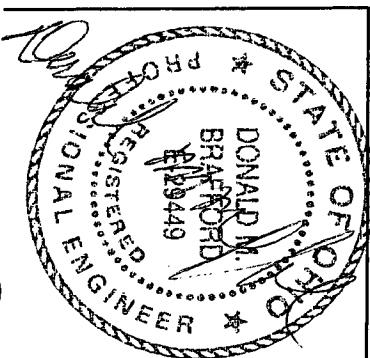
C: Ohio Historic Preservation Office
Inspector: Cambridge District Office
Consultant: Bair Goodie and Associates, Inc.
File



Notes:

1. Sump is for slurry line clean out purposes only.
2. Sump is lined with compacted, impermeable clay.

S-13-03



Addendum To Part 3, Page 27, Item G(4)

SUMP PLAN VIEW

Applicant: AMERICAN ENERGY CORPORATION IBR-0425-8			
Section: 34	Township: 5	Range: 4	
Township: WASHINGTON		County: BELMONT	
Date: 03/19/03	Revised: 5-23-03	Scale: 1" = 20'	Comm #: 02001



342 High St., Box 471
Flushing, Ohio 43977
Ph: (740) 968-4947
Fax: (740) 968-4225
e-mail: hamilton@1st.net
www.hamiltonandassoc.com

Ohio Department of Natural Resources
Division of Mines & Reclamation
Application for an Incidental Boundary Revision
(This form cannot be utilized for the removal of coal)

Application for an Incidental Boundary Revision

Application Information

1. Permittee's Name: American Energy Corporation

2. Address: 43521 Mayhugh Hill Road
City, State, Zip: Beallsville, OH 43716
Telephone: 740-926-9152

3. Coal Mining Permit Number: D-0425

4. Additional acres to be permitted: 3.1 Acres

5. Has this acreage been affected under this permit?

• Yes ☐ No

Has this Acreage been previously affected?

• Yes ☐ No

6. Describe the reason this additional acreage is required.

THE ADDITIONAL ACREAGE IS REQUESTED TO FACILITATE THE PREPARATION OPERATIONS AT THE CENTURY MINE. A SLURRY LINE NEEDS TO BE PRESENT IN ORDER TO TRANSFER SLURRY FROM THE D-0425 PERMIT TO THE D-0360 PERMIT.

7. Describe the activities to be conducted on this are.

CONSTRUCTION OF A SLURRY LINE TO TRANSPORT SLURRY FROM THE D-0425 TO THE D-0360 PERMIT AREA. THE TRENCHING AND BURIAL OF A HDPE FUSED LINE WILL OCCUR ON THIS AREA.

8. Is the information contained in the previously approved permit application applicable to this revised area?

• Yes ☐ No

If no, describe any changes to the previously approved permit application that will apply to this revised area.

OPERATOR

Application for an Incidental Boundary Revision

Application Information

9. Location of additional Acres to be affected during the Permit Period.

(List all surface and mineral owners and all locations applicable to each ownership as shown on the location map. If owner name is repeated, show address only once. If permittee is owner, address is not necessary.)

Name	Address City, State, Zip		County/ Township
American Energy Corporation	43521 Mayhugh Hill Road Beallsville, OH 43716		Belmont/ Wayne
Section/ Lot	T-/ R	State Plane X/ State Plane Y	Surface Owner/ Mineral Owner
4	6/5		■
			■
Name	Address City, State, Zip		County/ Township
American Energy Corporation	43521 Mayhugh Hill Road Beallsville, OH 43716		Belmont/ Washington
Section/ Lot	T-/ R	State Plane X/ State Plane Y	Surface Owner/ Mineral Owner
34	5/4		■
			■
Name	Address City, State, Zip		County/ Township
The Ohio Valley Coal Company	56854 Pleasant Ridge Road Alledonia, Ohio 43902		Belmont/ Washington
Section/ Lot	T-/ R	State Plane X/ State Plane Y	Surface Owner/ Mineral Owner
35	5/4		■
			□

Name	Address City, State, Zip		County/ Township
Roger Bunting	44030 John Jarrett Road Beallsville, OH 43716		Belmont/ Washington
Section/ Lot	T-/ R	State Plane X/ State Plane Y	Surface Owner/ Mineral Owner
34	5/4		■
			□
Name	Address City, State, Zip		County/ Township
Section/ Lot	T-/ R	State Plane X/ State Plane Y	Surface Owner/ Mineral Owner
			□
			□

I, the undersigned authorized representative of the permittee, hereby attest that no coal has been or will be removed from the acreage identified in this application.

Printed Name: ROBERT D. MOORE

Signature: [Signature]

Title: PRESIDENT

Date Signed: April 2, 2003

FOR DIVISION USE ONLY

This application is hereby **APPROVED** by the Chief, Division of Mineral Resources Management and effective this date. The acreage identified in Item 4 of this application is now part of permit 2-0425
Permit Number

Date: 7-1-03 Signed: [Signature]
Chief, Division of Mineral Resources Management

\$ 50,500⁰⁰ of performance bond and \$ ~~50~~ 232⁵⁰ of acreage fee received on 7-1-03.
Date

ADDENDUM TO I.B.R.-0425-8, ITEM 7

American Energy Corporation, Permit D-0425

1. Page 8, Item C(4): See Attachment 4
2. Page 9, Item C(8)(a): See Attachment 8
3. Page 13, Item D(6): American Energy Corporation claims valid existing rights based on deeds 1966 and 1967, and the start of the operations in 1967 for State Route 148 T.R. 522, and T.R. 74. See attached deed and description of coal parcel No. 29, 31, 33, 27, and plat maps.
4. Page 14, Item D(7): Yes. K. Gallagher. American Energy Corporation claims valid existing rights based on deeds 1966 and 1967, and the start of the operations in 1967. The reserves under the pipe lines are adjacent to the reserves that continue to be mined from both the former Y & O Coal Company, which is currently the American Energy Corporation, and the former North American Coal Company, currently The Ohio Valley Coal Company. See attached deed and plat maps.
5. Page 19, Item (G)(1): The proposed I. B. R. area contains undeveloped land, cropland, and pastureland. See Addendum to Part 2, Item G(1), Pre-mining land use map. See Addendum to Part 2, Page 19, Item G(4).
6. Page 19, Item G(6): The post-mining land use will be undeveloped, pastureland and cropland.
7. Page 20, Item G(8): See landowner comment letter.
8. Page 20, Item H(1): See Attachment 16, and Addenda.
9. Page 23, Item A(12)(d): The slurry line will be constructed within the limits of the proposed I.B.R. area in the location shown on the I.B.R. map. The line will be fabricated from 14"SDR-7, and 12"SDR-11 high-density polyethylene pipe. The wall thickness on the of the SDR-7 pipe is 1.918," and SDR-11 is 1.159." A Toshiba 200HP, 480 volt pump will be used to transport the slurry. A sump twice the size of the pipe capacity has been excavated in the event there is a problem with the line. The pipeline will be properly maintained throughout the life of the mining operation. Upon Final abandonment, all facilities will be dismantled and removed from the site. The pipeline will be thoroughly flushed with water after the termination of use. The pipe will be removed from the ground in the areas where it is exposed, the sump will be filled in, and any valve boxes will be unearthed and the land will be regraded to approximate original contour. The facilities will be removed within two years following the completion of coal removal from the mine.
10. Page 27, Item G(4): See sump designs
11. Page 27, Item G(5): See Buffer Zone Variance Request
12. Attachment 28, Item 18: Slurry produced in the preparation plant will be disposed on the D-0360 permit area.

PARCEL NO. 29 ◀

1-5-3 Being all the so-called six-foot or Number 8 Pittsburgh vein of coal, in, upon, and underlying the following described premises: Situated in the Township of Wayne, and known as a part of the Jacob Jenewein, situated in Section 4, Township 6, Range 5. Beginning for the same at a point on the East line of said Section 4, at a stone in the Northwest corner of Section 34, Township 5, Range 4, in Washington Township, thence along said East line S. 3° 18' W., 2580.0 feet, more or less, to a point in Captina Creek; thence up said creek N. 62° 10' W., 450.0 feet, more or less, to a point; thence still up said creek N. 82½° 43' W., 12.56 poles (207.24 feet) to Station A. the south corner of Charles Jenewein land from which a sycamore 26" D. bears N. 21°, 127-3/4 links (84.32 feet) and an elm 20" D. bears N. 12° 35' E., 155½ links (102.63 feet); thence along the center of a small stream the following three courses and distances on the division line of Tract No. one and Tract No. two, N. 00° 43' W. 15.52 poles (256.08 feet) to a station B; thence No. 32° 13' W., 7.40 poles (122.10 feet) to Station C; thence N. 13° 18' E., 40 poles (660 feet) to Station D in the center of a small run from which a bur oak 30" bears S. 81° W., 137½ links (90.75 feet) and a sugar tree 34" D. bears S. 52° 20' W., 117½ links (77.55 feet); thence N. 21° 01' E., 92.80 poles (1531.20 feet) to station E a tight stone from which an elm 4" D. bears S. 62° 30' W., 14-3/4 links (9.74 feet) and an ash 8" D. bears N. 15° 15' W., 27-1/8 links (17.90 feet); thence S. 4° 01' W., 5.76 poles (95.04 feet) to the beginning, containing 24.37 acres, more or less.

TOGETHER with the right to enter, mine and carry away said coal by means of main entries, passages and tunnels, and the right to transport coal through said entries, passages and tunnels that may be mined from the lands of other parties.

SAID Grantor reserves the right to operate and drill for oil and gas, including the right to penetrate or drill through said coal for said purposes, the same to be done without unnecessary damage to the mining operations of said Grantees.

AND being the southern part of the lands in Section 4, Wayne Township, conveyed by Charles Jenewein and Emma Jenewein, his wife, to S. L. Mooney by deed dated April 17, 1901, and recorded in Volume 129, Page 571 of the Records of Deeds of Belmont County, Ohio.

1-5-4 PARCEL NO. 30

BEING all of the so-called six-foot or No. 8 Pittsburgh vein of coal in, upon and underlying the following described lands, to wit: Being the northeast part of the northwest quarter of Section 4, Township 6, Range 5, Wayne Township, commencing at the northeast corner and running south to a stone at the northeast corner of Z. B. Shipman farm (now owned by Mary Wallace); thence northwest to the run, running through the Henry Kinney farm (now owned by Etna Perkins); thence north up said run to Section line; thence east to place of beginning--containing fifty-four (54) acres.

TOGETHER with the right to enter, mine and carry away said coal by means of main entries, passages and tunnels, and the right to use such main entries, passages and tunnels for the purpose of transporting coal that may be mined from the lands of other parties.

THE said grantor reserves to John White, the previous owner of the aforesaid described tract of land, to him, his heirs and assigns, the right to operate and drill for oil and gas, including the right to penetrate or drill through said coal for

said purposes the same to be done without unnecessary damage to the mining operations of said grantee.

BEING a part of the same property and conveyed by Charles Jenewein and Emma Jenewein, his wife, to S. L. Mooney by deed dated May 11, 1901, and recorded in Volume 131, Page 6 of the Records of Deeds, Belmont County, Ohio.

1-5-5 PARCEL NO. 31 ◀

AND being all of the so-called six-foot or Pittsburgh No. 8 vein of coal in, upon and underlying the following described premises:

KNOWN as a part of the Jacob Jenewein Tract of land willed by the said Jacob Jenewein to the said B. F. Jenewein, situated in Section 4, Township 6, Range 5, Wayne Township, more definitely that portion of the entire tract as bequeathed by the said Jacob Jenewein, being 104-14/100 acres, more or less, as surveyed by J. A. Bond, County Surveyor, in 1896. Beginning for the same at a stone on the northeast corner of Section four (4) West 118.28 poles (1951.62 feet) to a stone, Station 1, from which a sycamore 42" D. bears north 43° 12" east 28-1/4 links (18.65 feet) and a sugar tree 22" D. bears south 70° .07" west 47 1/2 links (31.35 feet); thence along the division line between B. F. and E. H. Jenewein south 3° 55" E., 206.32 poles (3408.28 feet) to station on center of Captina Creek from which an elm tree 14" D. bears north 24° 12" west 69 links (45.54 feet) and a black walnut 10" D. bears north 2° 12" west 78 1/4 links (51.65 feet); thence along the center of said creek the following three courses and distances to station A, north 63° 45" east 36.95 poles (609.68 feet) to station, the southwest corner of Charles Jenewein's land in the center of Captina Creek from which a sycamore 26" D. bears north 21° 40" east 127 1/4 links (83.99 feet); an elm tree 20" D. bears 12° 35" 155 links (102.30 feet); thence along the center of a small stream the following three courses and distances, north 00° 43" west 15.52 poles (256.08 feet) to station B; thence north 32° 13" west 7.04 poles (116.16 feet) to station C. thence north 13° 18" east 40 poles (660 feet) to station D, in the center of a small stream, from which a Bur oak 30" D. bears south 81° west 137 1/2 links (90.75 feet) and a sugar tree 31" D. bears south 52° 20" West 117 1/2 links; thence north 21° .01" east 92.80 poles (1531.20 feet) to a stone a tight rock from which an elm 4" D. bears south 62° 30" west 14-3/4 links (9.74 feet) and an ash 3" D. bears north 15° 15" west 27-1/8 links; thence north 4° .01" east 33.36 poles (550.44 feet) to the place of beginning, containing one hundred and four and fourteen hundredths (104.14 acres).

TOGETHER with the right to enter, mine and carry away said coal by means of main entries, passages and tunnels, and the right to transport coal through said main entries, passages and tunnels that may be mined from the lands of other parties.

SAID Grantor reserves the right to operate and drill for oil and gas, including the right to penetrate or drill through said coal for said purposes, the same to be done without unnecessary damage to the mining operations of said grantee.

AND being a part of the same premises conveyed by B. F. Jenewein and R. Lizzie Jenewein, his wife, to S. L. Mooney by deed dated April 17, 1901, and recorded in Volume 131, Page 8 of the Records of Deeds of Belmont County, Ohio.

1-5-6 PARCEL NO. 32

BEING all of the so-called six-foot or No. 8 Pittsburgh vein of coal in, upon and underlying the following described lands: Being a part of the Northwest quarter of Section 4, Township 6,

Range 5, (Wayne Township); and beginning for the same at the Northwest corner of the said quarter section; thence East to a run; thence down said run with the meanderings of the same to the John Wright tract of land (previously owned by Mary Wallace); thence from there to the place of beginning, containing 15 acres, more or less.

TOGETHER with the right to enter, mine and carry away said coal by means of main entries, passages and tunnels, and the right to use such main entries, passages and tunnels for the purpose of transporting coal that may be mined from the lands of other parties.

SAID Grantor reserves the right to operate and drill for oil and gas, including the right to penetrate or drill through said coal for said purposes, the same to be done without unnecessary damage to the mining operations of said grantee.

AND being a part of the lands conveyed by Etna C. Perkins and Ella Perkins, his wife, to S. L. Mooney by deed dated May 6, 1901 and recorded in Volume 129, Page 565 in the Records of Deeds, Belmont County, Ohio.

1-5-7 PARCEL NO. 33 ◀

BEING all the coal contained in the vein commonly known as the Pittsburgh No. 8 vein or seam underlying the following described real estate:

SITUATED in the Township of Wayne, Section 4, Township 6, Range 5, more definitely that portion of the entire tract as bequeathed by the said Jacob Jenewein, being 102.16 acres, more or less, as surveyed by J. E. Bond, County Surveyor, 1896.

BEGINNING for the same at Station C, in the center of Captina Creek and southwest corner of Tract No. 2, from which an elm 14" D. bears north 24° 12" west 69 links (45.54 feet) and a beech walnut 10" D. bears north 2° 12" west 78¼ links (51.65 feet); thence south 63° 45" west 52.45 poles (865.43 feet) along the center of Captina Creek to station 32; thence along the center of said creek to station 37 the following courses and distances: thence S. 72° 55" west 24.75 poles (408.38 feet); thence N. 58° 41" W. 17.40 poles (297.10 feet) to station 34; thence N. 46° 49" W. 10.65 poles (175.73 feet) to station 35; thence N. 38° 39" W. 36.48 poles (601.92 feet) to station 36; thence N. 54° 29" west 12.27 poles (202.46 feet) to station 37 at the mouth of Mike's Run; thence up said run the following five courses and distances; N. 16° 54" W. 10.12 poles (166.98 feet) to station 38; thence N. 10° 16" E. 6.70 poles (110.55 feet) to station 39; thence N. 31° 16" E. 7.19 poles (118.64 feet) to station 40; thence N. 54° 31" E. 6.22 poles (102.63 feet) to station 41; thence N. 22° 20" E. 6.24 poles (102.96 feet) to station 42; thence leaving said run S. 86° E. 46.95 poles (774.68 feet) to a stone on southwest corner of the northeast quarter of Section 4, Township 6, Range 5; thence North 3° 159 poles (2623.50 feet) along the quarter section line to a stone on the northwest corner of the northeast quarter of Section 4, Township 6, Range 5; thence along the north boundary of said quarter section south 84° 9" east 46.44 poles (766.26 feet) to a stone on the northwest corner of tract No. 2 from which a sycamore 42" D. north 43° 12" east 28¼ links (18.65 feet) and a sugar tree 22" D. South 70° .07" West 47½ links (31.35 feet); thence south 3° 55" east 206.32 poles (3404.28 feet) along the division line between tract No. 2 and tract No. 3 to the beginning, containing one hundred and two and sixteen hundredths acres (102.16 acres).

RECORDED February 4, 1897, Volume 116, Page 93, Belmont County

Records of Deeds.

TOGETHER with the free, uninterrupted use and enjoyment of right of way into, upon and under said lands at such points and in such manner as may be considered proper and necessary for the advantageous and economical operation thereof in and in the digging and mining of said coal and draining and ventilation of the mines and without liability therefore and hereby waiving any and or all damages that might or could arise therefrom by reason of such digging, mining, draining and ventilating and carrying away of all of said coal or the manufacture of said coal or other coal into coke or other products, together with the privilege of carrying or transferring and removing through the described premises this and other coal and mine supplies now owned or hereafter acquired by the grantee, his heirs and assigns generally freed, clear and discharged of any servitude whatever to the overlying land or anything therein or thereon. Reserving, however, the right to drill through said coal for oil or gas in such manner as not to endanger the working of mines for removing said coal.

AND being a part of the real estate conveyed by Thomas H. Stoffel and Mary L. Stoffel, husband and wife, to John B. Steel and Madge M. Steel, by deed dated July 14, 1913 and recorded in Volume 194, Page 2, in the Records of Deeds in Belmont County, Ohio.

SAID land being part of Parcel No. 159 in the conveyance from Caroline Steel Dahlem and John Dahlem, her husband, to The Manor Real Estate Company, dated November 12, 1966 and recorded in Volume 495, Page 36 in the Records of Deeds in Belmont County, Ohio.

Situated in the Township of Wayne, County of Belmont and State of Ohio and known as follows: It being a part of the Southeast Quarter of Section 3, Township 6, Range 5; and commencing for the same at the northeast corner of the southeast quarter of the southeast quarter of said Section 3; thence west along said quarter section line 20 rods and 8 links; thence north 40 rods; thence east 20 rods and 8 links to the township line; thence south with said township line 40 rods to the place of beginning, containing 5 acres.

Fourth Tract

Situated in the Township of Washington County, County of Belmont and State of Ohio, to-wit: The west half of the west half of the southwest quarter of Section 33, in Township 5, of Range 4, containing 40 acres, more or less.

Fifth Tract

Situated in the Township of Washington, County of Belmont and State of Ohio, and known as Jacob Moore's tract, and further described as follows: Known as and being the northwest quarter of the northwest quarter of Section 32, Township 5, Range 4, of the land formerly subject to sale at Marietta, Ohio, and containing 40 acres, be the same more or less.

EXCEPTING THEREFROM 25 acres off the south part thereof, sold and conveyed by Adam T. Moore and wife to Hiram Mantle, by deed dated April 4, 1891, recorded in Volume 100, page 450, and bounded and described as follows: Commencing at the southwest corner of the said northwest quarter of the northwest quarter; thence north 50 rods; thence east to the north and south line in the middle of said quarter section; thence south 50 rods along said line; thence west to the place of beginning, containing 25 acres.

PARCEL NO. 27 (34) - WAYNE TOWNSHIP

2-13-63 First Tract ◀

Known as and being a part of the southwest quarter of Section four, Township six, Range five, beginning for the same at the southeast corner of said quarter section; thence running west 160 poles to the southwest corner of said quarter section; thence north 54 poles to Captina Creek; thence North $86\frac{1}{2}^{\circ}$ east 160.6 poles; thence south 67 poles to the place of beginning, containing sixty and one-half ($60\frac{1}{2}$) acres, more or less.

2-13-64 Second Tract

Situated in the Township of Wayne, County of Belmont and State of Ohio, and being the northwest quarter of Section three, Township six, Range five, containing one hundred and sixty (160) acres, more or less.

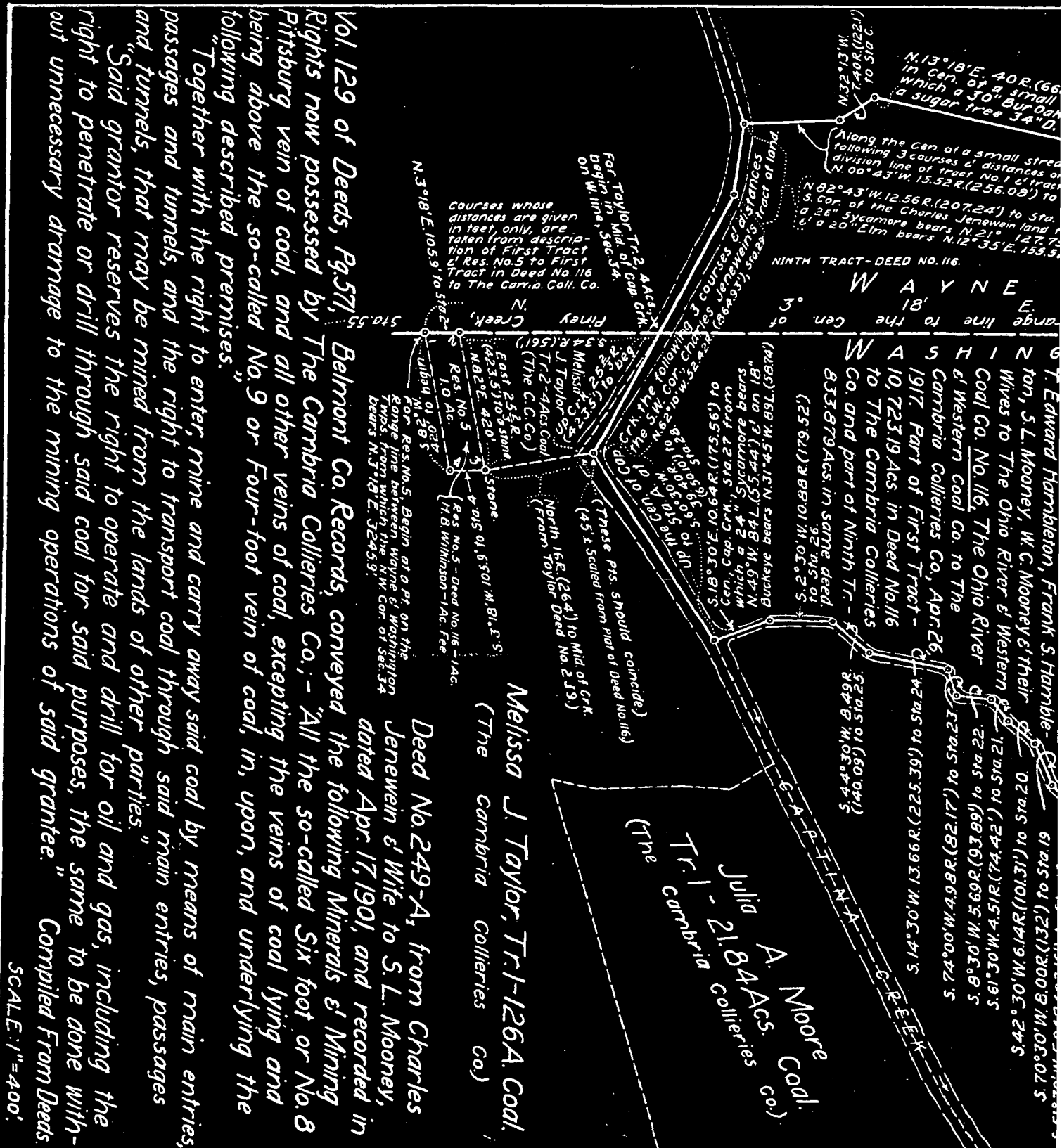
Third Tract

Situated in the Township of Wayne, County of Belmont and State of Ohio, and being a part of the southeast and southwest quarters of Section three, Township six, Range five, commencing at the southeast corner of lands formerly owned by Eli Garretson, and formerly owned by M. E. Moore; thence east to Piney Run; thence down Piney Run with its meanderings to the mouth of Long Run; thence up said Long Run to the line of M. E. Moore; thence with said line to the place of beginning, containing fifty-one (51) acres, more or less.

Fourth Tract

Situated in the Township of Wayne, County of Belmont and State of Ohio and known as and being the northeast quarter of Section eight, Township six, Range five, containing one hundred and fifty-seven and one-half (157½) acres, more or less.

AEC 081600



Vol. 129 of Deeds, Pg. 571, Belmont Co. Records, conveyed the following Minerals & Mining Rights now possessed by The Cambria Collieries Co.; - "All the so-called Six foot or No. 8 Pittsburg vein of coal, and all other veins of coal, excepting the veins of coal lying and being above the so-called No. 9 or Four-foot vein of coal, in, upon, and underlying the following described premises."

"Together with the right to enter, mine and carry away said coal by means of main entries, passages and tunnels, and the right to transport coal through said main entries, passages and tunnels, that may be mined from the lands of other parties."

"Said grantor reserves the right to operate and drill for oil and gas, including the right to penetrate or drill through said coal for said purposes, the same to be done without unnecessary drainage to the mining operations of said grantee."

Compiled From Deeds

Melissa J. Taylor, Tr-1-1264 Coal.
(The Cambria Collieries Co.)

Deed No. 249-A, from Charles Jenewein & Wife to S. L. Mooney, dated Apr. 17, 1901, and recorded in

TT.1

24

Saffell 157.45 Acs. Coal.
Cambria Collieries Co.)

Acs. Coal.
Washington Twp.,

A. James, Trustees
International Coal Co.
International
Major, Sheriff
S. Hambleton,

S. N. of Creek)
 CAP
 (5279E 14R (231) across
 cap. crk. & up pine fork
 of cap. crk. W side.
 PINEY CREEK

Crawford Perkins.
Tract 2 - 36.13 Acs. Coal.
(The Cambria Collieries Co.)

For Perkins Tr. 2, begin at Pt. in public highway on E. line, Sec. 34, 51 R. 14 L. (850.74') N. of S.E. Cor., N.E. $\frac{1}{4}$, Sec. 34

John Danford & Wife to Henry James,
in Vol. 109 of Deeds, Pg. 206, Belmont
Minerals and Mining Rights now poss-
"All the so-called six foot or No. 8
to enter, mine, and carry away the
land."
and gas, through said coal so as not to
of passage through and under the above
s and tunnels for the purpose of trans-
her parties." "Said grantors reserve

Compiled From Deeds.
SCALE: 1"=400'

**Ohio Department of Natural Resources
Division of Mineral Resources Management
Attachment 4
(Adjacent Owners)**

Applicant Name American Energy Corporation

This attachment is to be completed and submitted with the permit application if the response to item C (5) in Part 1 of the permit application is "yes."

Name of Owner Gary and Marcia Perkins
Address 62855 CR 26
City Bethesda State Ohio Zip 43719
☒ Surface ☐ Mineral

Name of Owner Kevin A. and Tersa Gallagher
Address 44039 John Jarrett Road
City Beallsville State Ohio Zip 43716
☒ Surface ☐ Mineral

Name of Owner Wyoming Pocahontas Land Co.
Address Tax Department, 1 Riverside Plaza
City Columbus State Ohio Zip 43215
☒ Surface ☐ Mineral

Name of Owner Harold A and Lorna M Knight
Address 100 Cherry St. Box 389
City Powhatan Point State Ohio Zip 43942
☐ Surface ☐ Mineral

Name of Owner Jess J and Melba Ward
Address 53500 Belmont Ridge Road
City Beallsville State Ohio Zip 43716
☒ Surface ☐ Mineral

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATIONATTACHMENT 8
(SURFACE OWNERS' CONSENTS)Applicant's Name American Energy Corporation

This attachment may be completed and submitted with the permit application if the response to item C. (2) in Part 1 of the permit application is "yes."

I (We) the undersigned, hereby consent to the proposed surface mining of coal by the above named applicant on the lands described below on which I (We) are the legal surface owner(s) of record.

Owner's Name The Ohio Valley Coal CompanyOwner's Signature * Date 3/7/03County Belmont Township WashingtonSections 35 Lots _____ Acres 254.434

Owner's Name _____

Owner's Signature _____ Date _____

County _____ Township _____

Sections _____ Lots _____ Acres _____

Owner's Name _____

Owner's Signature _____ Date _____

County _____ Township _____

Sections _____ Lots _____ Acres _____

Owner's Name _____

Owner's Signature _____ Date _____

County _____ Township _____

Sections _____ Lots _____ Acres _____

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATIONATTACHMENT 8
(SURFACE OWNER'S CONSENT)

Applicant's Name _____

This attachment may be completed and submitted with the permit application if the response to item C. (2) in Part 1 of the permit application is "yes."

I (we) the undersigned, hereby consent to the proposed surface use by the above named applicant on the lands described below on which I (we) are the legal surface owner(s) of record.

Owner's Name American Energy CorporationOwner's Signature [Signature] Date 3/10/03County Belmont Township WashingtonSections 34 Lots _____ Acres 5.965Owner's Name American Energy CorporationOwner's Signature [Signature] Date 3/10/03County Belmont Township WayneSections 3, 4 Lots _____ Acres 165.463

Owner's Name _____

Owner's Signature _____ Date _____

County _____ Township _____

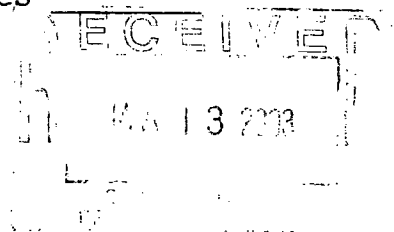
Sections _____ Lots _____ Acres _____

Owner's Name _____

Owner's Signature _____ Date _____

County _____ Township _____

Sections _____ Lots _____ Acres _____



OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINES & RECLAMATION

ATTACHMENT 8
(SURFACE OWNERS' CONSENTS)

Applicant's Name: American Energy Corporation – Century Mine

This attachment may be completed and submitted with the permit application if the response to item C. (2) in Part 1 of the permit application is "yes."

I (We) the undersigned, hereby consent to the proposed surface mining of coal by the above named applicant on the lands described below on which I (We) are the legal surface owner(s) of record.

Owner's Name: ROGER D. BUNTING
Owner's Signature: Roger D Bunting Date: March 7 2008
County: Belmont Township: Washington
Sections: 34 Lots: _____ Acres: 43.632

Owner's Name: WANDA L. BUNTING
Owner's Signature: Wanda L Bunting Date: March 7 2008
County: Belmont Township: Washington
Sections: 34 Lots: _____ Acres: 43.632

Owner's Name _____
Owner's Signature _____ Date _____
County _____ Township _____
Sections _____ Lots _____ Acres _____

Owner's Name _____
Owner's Signature _____ Date _____
County _____ Township _____
Sections _____ Lots _____ Acres _____

Note: This consent is not for coal removal.

EASEMENT, RIGHT OF ENTRY AND AGREEMENT

WHEREAS, WANDA L. BUNTING and ROGER D. BUNTING, wife and husband, whose address is 44030 John Jarrett Road, Beallsville, Ohio 43716, are the owners in fee simple absolute of real property described in Exhibit "A" hereto, and hereafter referred to as LANDOWNERS; and

WHEREAS, AMERICAN ENERGY CORPORATION, an Ohio corporation, whose address is 43521 Mayhugh Hill Road, Township Highway 88, Beallsville, Ohio 43716, hereafter referred to as COMPANY, wish to enter into the Easement, Right of Entry and Agreement contained hereinafter; and

WHEREAS, COMPANY will be given the right to install and maintain a slurry line and a water line, together with rights of way for ingress and egress thereto, said lines are to be buried; and

WHEREAS, LANDOWNERS are agreeable to the installation, maintenance and ingress and egress therefrom by COMPANY, pursuant to the terms and conditions of this instrument.

NOW, THEREFORE, FOR VALUABLE CONSIDERATION PAID, IT IS HEREBY AGREED AS FOLLOWS:

1. That COMPANY, its successors, assigns, employees, agents and contractors shall be granted an exclusive twenty (20) foot wide easement and right of way for the installation, maintenance, repair, replacement, inspection, removal and all things useful and necessary for a 12-3/4 inch slurry line and a 12-3/4 inch water line, together with the right of ingress and egress thereto, by men, machinery, equipment and all things necessary to install, maintain, replace, inspect, repair, remove or do anything useful and necessary in the installation, maintenance and repair of said lines. It is further AGREED that said lines shall be buried. COMPANY shall pay to LANDOWNERS the sum of Twelve Hundred Dollars (\$1,200.00) per year, for the term of this easement, which shall be paid up to the time that the lines are removed or the pipelines are severed on both ends of the Bunting Property and no access is needed for this easement or its purposes. Said premises and description of said easement is described in Exhibit "A" which is made a part hereof by reference.
2. It is further AGREED that COMPANY, for itself, its successors and assigns, shall

indemnify and save harmless LANDOWNERS against all liability for personal or property damages incurred by any third person, firm or entity whatsoever, as a result of COMPANY'S exercise of any of the rights granted herein.

3. It is further AGREED by and between the parties hereto that title to all property placed by COMPANY, or its successors or assigns, in or upon said premises shall be and shall remain in the name of the COMPANY, or its successors and assigns, and COMPANY, or its nominees, successors and assigns, shall have the right to enter in, upon, on and over said lands to remove therefrom any of the property thereon.
4. It is further AGREED that if COMPANY desires to place additional lines or equipment on LANDOWNERS' premises, COMPANY will renegotiate for the placement of said lines.
5. It is further AGREED that COMPANY shall be responsible, in the event, that any of its agents and/or employees shall negligently permit a gate not to be closed which is used in conjunction with this easement for slurry and water lines and will pay for any damages to livestock and/or horses, which may be incurred by LANDOWNER if any livestock is injured as a result thereof.
6. It is further AGREED that this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, executors, administrators, successors and assigns.
7. This Agreement constitutes the entire agreement between the parties hereto and supersedes all other prior negotiations, undertakings, notices, memoranda and agreements between the parties, whether oral or written, in respect to the subject matter hereof.

IN WITNESS WHEREOF, the parties have set their hands this 6th day of

July, 2002.

In the presence of:

Charles L. Lusk
Steve Hill

LANDOWNERS:

Wanda L. Bunting
Wanda L. Bunting
Roger D. Bunting
Roger D. Bunting

In the presence of:

Teresa L. Deal

COMPANY:

AMERICAN ENERGY CORPORATION

By: Mal A. B.

Its: _____

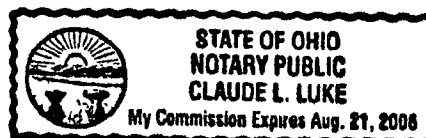
STATE OF OHIO, COUNTY OF BELMONT, SS:

On this, the 6th day of July, 2002, before me, the undersigned authority, a Notary Public in and for the said County and State, personally appeared WANDA L. BUNTING and ROGER D. BUNTING, wife and husband, who being duly sworn according to law, acknowledge that they signed the foregoing instrument for the purposes therein set forth.

WITNESS my official seal this 6th day of July, 2002.

Claude L. Luke
Notary Public

My Commission Expires: _____



STATE OF OHIO, COUNTY OF BELMONT, SS:

On this, the 8th day of July, 2002, before me, the undersigned authority, a Notary Public in and for the said County and State, personally appeared Mark Bartkowski, who acknowledged himself to be the Project Manager of AMERICAN ENERGY CORPORATION, and that as such being duly authorized to do so, executed the foregoing instrument for the purposes therein set forth.

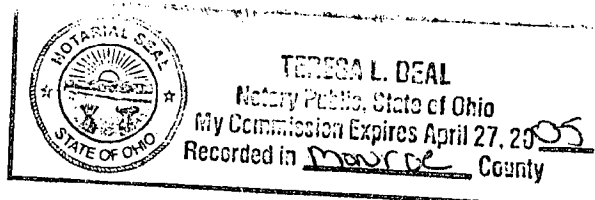
WITNESS my official seal this 8th day of July, 2002.

Teresa L. Deal
Notary Public

My Commission Expires April 27, 2005

This Instrument prepared by:
Charles H. Bean
Attorney at Law
P. O. Box 96
St. Clairsville, Ohio 43950

huntingamericanenergycorp.agree



**ADDENDUM TO PART 2, PAGE 19, ITEM G(4), AMERICAN ENERGY
CORPORATION**

TABLE 5.--YIELDS PER ACRE OF CROPS AND PASTURE

[Yields are those that can be expected under a high level of management. Absence of a yield indicates that the soil is not suited to the crop or the crop generally is not grown on the soil]

Soil name and map symbol	Corn	Winter wheat	Oats	Grass- legume hay	Alfalfa hay	Pasture
	Bu	Bu	Bu	Ton	Ton	AUM*
AeC----- Allegheny Variant	105	40	65	3.5	---	5.5
As----- Ashton	125	50	70	4.5	5.0	7.0
BaB, BaD, BaF----- Barkcamp	---	---	---	---	---	---
BcB----- Barkcamp	---	---	---	---	---	3.0
BcD----- Barkcamp	---	---	---	---	---	2.0
BeB----- Bethesda	---	20	40	2.0	---	3.3
BeD----- Bethesda	---	15	35	1.5	---	3.0
BhB, BhD----- Bethesda	---	---	---	---	---	2.0
BhE, BhF----- Bethesda	---	---	---	---	---	---
BsC----- Brookside	100	40	60	4.5	---	7.0
BsD----- Brookside	90	35	55	4.0	---	7.0
BsE----- Brookside	---	---	---	---	---	---
BuB----- Brookside-Urban land	---	---	---	---	---	---
BuD----- Brookside-Urban land	---	---	---	---	---	---
Cg----- Chagrin	125	45	65	4.5	5.0	7.0
ChB----- Chili	85	34	70	4.2	---	6.6
CmB----- Chili-Urban land	---	---	---	---	---	---
CuB----- Culleoka	100	32	65	4.0	---	6.0
CuC----- Culleoka	90	28	60	3.5	---	5.5
DkB----- Dekalb	80	30	55	3.5	---	5.5
DkC----- Dekalb	70	25	50	3.3	---	5.0
DkD----- Dekalb	70	25	50	3.0	---	4.5

See footnote at end of table.

TABLE 5.--YIELDS PER ACRE OF CROPS AND PASTURE--Continued

Soil name and map symbol	Corn	Winter wheat	Oats	Grass- legume hay	Alfalfa hay	Pasture
	Bu	Bu	Bu	Ton	Ton	AUM*
DkE----- Dekalb	---	---	---	---	---	4.0
DmF----- Dekalb	---	---	---	---	---	---
Dp, Ds. Dumps						
DuB----- Duncannon-Urban land	---	---	---	---	---	---
EbB----- Elba	100	45	60	4.5	4.7	7.0
EbC----- Elba	95	40	55	4.0	4.5	6.0
EbD----- Elba	85	35	50	3.8	4.2	5.8
EbE----- Elba	---	---	---	---	---	4.0
ElB----- Elkinsville	120	48	70	4.0	4.5	6.0
ElC----- Elkinsville	110	44	65	3.6	4.3	5.8
ElD----- Elkinsville	90	36	60	3.0	4.0	4.5
FbB, FbD----- Fairpoint	---	---	---	---	---	3.0
FcB----- Fairpoint	---	25	45	2.5	---	4.0
FcD----- Fairpoint	---	20	40	2.0	---	3.0
FtA----- Fitchville	110	38	60	4.3	---	6.5
He----- Hartshorn	100	40	60	4.0	---	6.0
LeB----- Lowell	110	40	65	4.0	5.0	6.0
LeC----- Lowell	100	35	60	3.7	4.8	5.8
LeD----- Lowell	90	30	55	3.5	4.5	5.5
LeE----- Lowell	---	---	---	---	---	4.0
LeF----- Lowell	---	---	---	---	---	---
LoB----- Lowell-Westmoreland	110	38	70	3.8	4.8	5.8
LoC----- Lowell-Westmoreland	100	35	63	3.4	4.4	5.5
LoD----- Lowell-Westmoreland	90	30	58	3.3	4.3	5.0

See footnote at end of table.

TABLE 5.--YIELDS PER ACRE OF CROPS AND PASTURE--Continued

Soil name and map symbol	Corn	Winter wheat	Oats	Grass- legume hay	Alfalfa hay	Pasture
	Bu	Bu	Bu	Ton	Ton	AUM*
LoE----- Lowell-Westmoreland	---	---	---	---	---	4.0
LoF, LpF----- Lowell-Westmoreland	---	---	---	---	---	---
MnB----- Morristown	---	30	50	3.0	---	4.5
MnD----- Morristown	---	25	45	2.5	---	4.0
MnE----- Morristown	---	---	---	---	---	2.0
MoB, MoD----- Morristown	---	---	---	---	---	3.0
MoE, MoF----- Morristown	---	---	---	---	---	---
Ne----- Newark	100	---	---	4.5	---	7.0
Nm----- Newark	---	---	---	---	---	---
Nn----- Newark Variant	90	---	---	4.0	---	6.0
No----- Nolin Variant	135	45	65	4.5	4.5	7.0
Nu----- Nolin Variant-Urban land	---	---	---	---	---	---
OtB----- Otwell	105	47	65	3.6	---	5.8
OtC----- Otwell	75	38	60	3.2	---	5.0
RcC----- Richland	120	40	70	3.5	---	5.8
RcD----- Richland	110	35	60	3.0	---	4.5
RcE----- Richland	---	---	---	---	---	4.0
RhB----- Richland	125	45	75	4.0	---	6.0
Uc----- Udorthents-Pits	---	---	---	---	---	---
Ud----- Udorthents-Urban land	---	---	---	---	---	---
WhB----- Wellston	105	40	70	4.0	4.5	6.0
WhC----- Wellston	100	35	65	4.0	4.5	6.0
WkB----- Westmore	110	40	70	4.5	5.0	7.0

See footnote at end of table.

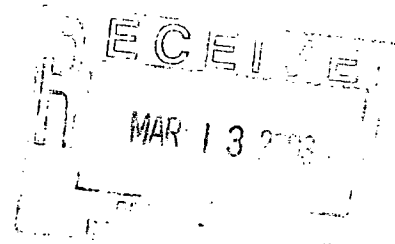
TABLE 5.--YIELDS PER ACRE OF CROPS AND PASTURE--Continued

Soil name and map symbol	Corn	Winter wheat	Oats	Grass- legume hay	Alfalfa hay	Pasture
	<u>Bu</u>	<u>Bu</u>	<u>Bu</u>	<u>Ton</u>	<u>Ton</u>	<u>AUM*</u>
WkC----- Westmore	105	35	70	4.3	5.8	6.6
WkD----- Westmore	100	32	65	4.0	4.5	6.0
WmB----- Westmoreland	110	35	70	3.5	4.5	5.8
WmC----- Westmoreland	100	35	65	3.0	4.0	4.5
WmD----- Westmoreland	70	30	60	3.0	4.0	4.5
WmE----- Westmoreland	---	---	---	---	---	4.0
WmF----- Westmoreland	---	---	---	---	---	---
WoC----- Westmoreland-Upshur	96	30	65	3.0	4.0	4.5
WoD----- Westmoreland-Upshur	85	30	60	2.8	3.5	4.2
ZnB----- Zanesville	95	35	60	3.5	---	5.8
ZnC----- Zanesville	85	35	55	3.5	---	5.8

* Animal-unit-month: The amount of forage or feed required to feed one animal unit (one cow, one horse, one mule, five sheep, or five goats) for 30 days.

Addendum to Part 2, Page 20, Item G(8)

TO: American Energy Corporation
FROM: American Energy Corporation



Location of Proposed Permit Area:

County/Twp	Belmont/Wayne and Washington	Lot/Section	Sections 3, 4, 34
-------------------	-------------------------------------	--------------------	--------------------------

The proposed postmining land use(s) for property is/are checked below:

<input type="checkbox"/> Cropland	<input type="checkbox"/> Residential Land Use
<input type="checkbox"/> Grazing Land	<input type="checkbox"/> Forest
<input type="checkbox"/> Industrial Land Use	<input type="checkbox"/> Fish & Wildlife
<input type="checkbox"/> Commercial Land Use	<input type="checkbox"/> Recreation Land Use
<input type="checkbox"/> Developed Water Resources	<input checked="" type="checkbox"/> Undeveloped Land Use

Pursuant to Ohio Department of Natural Resources, Division of Mines and Reclamation, Ohio Coal Mining and Reclamation Rule 1501:13-4-05(G)(2) of the Ohio Administrative Code, surface owner comments concerning the proposed postmining land use(s) for the proposed permit area required. Please check the appropriate box below.

☒ *I concur with the proposed postmining land uses identified by the mine operator.*
☐ *I DO NOT concur with the proposed postmining land uses.*

COMMENTS:

Please check each (if any) of the following listed wildlife enhancements that you would be interested in having on your property. Include any comments that you may have:

<input type="checkbox"/> Tree/Shrub Plantings	<input type="checkbox"/> Small Depressions
<input type="checkbox"/> Ponds/Wetlands	<input type="checkbox"/> Perching/Nesting Structures
<input type="checkbox"/> Brushpiles	<input type="checkbox"/> Other:
<input type="checkbox"/> Rockpiles	<input type="checkbox"/> Other:

SIGNATURE OF SURFACE OWNER

3/10/03
 DATE

WAIVER STATEMENT (Optional for Surface Owner): I, the above named surface owner, waive my right to comment on any revision to the permit application during the application review process that results in a change in the postmining land use(s) from those shown above. (NOTE: I DO NOT WAIVE MY RIGHT TO COMMENT ON ANY PROPOSED POSTMING LAND USE CHANGE AFTER PERMIT ISSUANCE.)

SIGNATURE OF SURFACE OWNER

DATE

Addendum to Part 2, Page 20, Item 6 (8)

TO: The Ohio Valley Coal Company

FROM: American Energy Corporation

Location of Proposed Permit Area:

County/Twp	Belmont/Washington	Lot/Section	Section 35
-------------------	--------------------	--------------------	------------

The proposed postmining land use(s) for property is/are checked below:

<input type="checkbox"/> Cropland	<input type="checkbox"/> Residential Land Use
<input type="checkbox"/> Grazing Land	<input type="checkbox"/> Forest
<input type="checkbox"/> Industrial Land Use	<input type="checkbox"/> Fish & Wildlife
<input type="checkbox"/> Commercial Land Use	<input type="checkbox"/> Recreation Land Use
<input type="checkbox"/> Developed Water Resources	<input checked="" type="checkbox"/> Undeveloped Land Use

Pursuant to Ohio Department of Natural Resources, Division of Mines and Reclamation, Ohio Coal Mining and Reclamation Rule 1501:13-4-05(G)(2) of the Ohio Administrative Code, surface owner comments concerning the proposed postmining land use(s) for the proposed permit area required. Please check the appropriate box below.

<input checked="" type="checkbox"/>	<i>I concur with the proposed postmining land uses identified by the mine operator.</i>
<input type="checkbox"/>	<i>I DO NOT concur with the proposed postmining land uses.</i>

COMMENTS:

Please check each (if any) of the following listed wildlife enhancements that you would be interested in having on your property. Include any comments that you may have:

<input type="checkbox"/> Tree/Shrub Plantings	<input type="checkbox"/> Small Depressions
<input type="checkbox"/> Ponds/Wetlands	<input type="checkbox"/> Perching/Nesting Structures
<input type="checkbox"/> Brushpiles	<input type="checkbox"/> Other:
<input type="checkbox"/> Rockpiles	<input type="checkbox"/> Other:

x *John R. Foul*
SIGNATURE OF SURFACE OWNER

3/7/03
DATE

WAIVER STATEMENT (Optional for Surface Owner): I, the above named surface owner, waive my right to comment on any revision to the permit application during the application review process that results in a change in the postmining land use(s) from those shown above. (NOTE: I DO NOT WAIVE MY RIGHT TO COMMENT ON ANY PROPOSED POSTMING LAND USE CHANGE AFTER PERMIT ISSUANCE.)

SIGNATURE OF SURFACE OWNER

DATE

Addendum to Part 2, Page 20, Item C(8), American Energy Corporation

TO: ROGER D. & WANDA L. BUNTING

FROM: American Energy Corporation

Location of Proposed Permit Area:

County/Twp. <u>BELMONT / WASHINGTON</u>	Lot/Section <u>34</u>
---	-----------------------

The proposed postmining land use (s) for your property is/are checked below:

<input checked="" type="checkbox"/> Cropland	<input type="checkbox"/> Residential Land Use
<input checked="" type="checkbox"/> Pasture Land	<input type="checkbox"/> Forest
<input type="checkbox"/> Grazing Land	<input checked="" type="checkbox"/> Undeveloped Land Use
<input type="checkbox"/> Industrial Land Use	<input type="checkbox"/> Fish & Wildlife
<input type="checkbox"/> Commercial Land Use	<input type="checkbox"/> Recreation land Use
<input type="checkbox"/> Developed Water Resources	

Pursuant to Ohio Department of Natural Resources, Division of Mines and Reclamation, Ohio Coal Mining and Reclamation Rule 1501:13-4-05(G)(2) of the Ohio Administrative Code, surface owner comments concerning the proposed postmining land use(s) for the proposed permit area are required. Please check the appropriate box below.

<input checked="" type="checkbox"/>	I concur with the proposed postmining land uses identified by the mine operator.
<input type="checkbox"/>	I DO NOT concur with the proposed postmining land uses.

COMMENTS:

<u>Roger D Bunting</u> SIGNATURE OF SURFACE OWNER	<u>March 7 2003</u> DATE
<u>Wanda L Bunting</u> SIGNATURE OF SURFACE OWNER	<u>March 7 2003</u> DATE

Please check each (if any) of the following listed wildlife enhancements that you would be interested in having on your property. **PLEASE NOTE:** Checking a box does not require the operator to provide any or all of selected enhancements. This form is a tool to help landowners better understand options that may be available through the coal company.

<input type="checkbox"/> Tree/Shrub Planting	<input type="checkbox"/> Small Depressions
<input type="checkbox"/> Ponds/Wetlands	<input type="checkbox"/> Perching/Nesting Structures
<input type="checkbox"/> Brushpiles	<input type="checkbox"/> Other:
<input type="checkbox"/> Rockpiles	<input type="checkbox"/> Other:

WAIVER STATEMENT (Optional for Surface Owner): I, the above named surface owner, waive my right to comment on any revision to the permit application during the application review process that results in a change in the postmining land use(s) from those shown above. (NOTE: I DO NOT WAIVE MY RIGHT TO COMMENT ON ANY PROPOSED POSTMINING LAND USE CHANGE AFTER PERMIT ISSUANCE.)

_____ SIGNATURE OF SURFACE OWNER	_____ DATE
_____ SIGNATURE OF SURFACE OWNER	_____ DATE

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINERAL RESOURCES MANAGEMENT

ATTACHMENT 16
(NEGATIVE DETERMINATION OF PRIME FARMLAND)

Applicant's Name AMERICAN ENERGY CORPORATION

This attachment is to be completed and submitted with the permit application if the applicant is demonstrating that the permit area or a portion of the permit area is not prime farmland. Check () the appropriate item numbers and attach the documents used to make the demonstration.

See Valid Existing Rights statement described below

- ☐ 1. Lands within the proposed permit area have not been historically used for cropland.
- ☐ 2. The slope of the land within the proposed area is greater than eight percent.
- ☐ 3. On the basis of a second order soil survey meeting the standards of the National Cooperative Soil Survey, there are no soil map units within the proposed permit area that have been designated prime farmland by the U.S. Soil Conservation Service.
- ☐ 4. On the basis of a first order soil survey commissioned by the applicant and meeting the standard of the National Cooperative Soil Survey, there were found to be no prime farmland map units as designated by the S.C.S. within the proposed permit area (See Attachment 15, item 2 for 1st order survey criteria).

Attached form OH-CPA-65 completed by Jeff Bettinger, District Conservationist for Belmont County Natural Resource Conservation Service has found this 3.1 Acre I.B.R. to contain a prime farmland soil unit. As previously stated in R-0425-5, American Energy Corporation claims valid existing rights based on deeds executed in 1966 and 1967, which include mining and surface rights for coal parcel Nos. 29, 31, 33, and 27. These rights are further described on the addendum to Page 23, A(12)(d). Therefore, American Energy Corporation, under Section 1501:13-4-12 (F)(1) of the Ohio Revised Code, is exempt from the Prime Farmland Regulation.

Certification of Prime/Nonprime Farmland

Name of Mine Operator *American Energy Corporation*

Location of Permit Application Area *S. R. 148*

Size of Permit Area (Acres) *3.1 Acres (3.1 Acres is total acres on site North & South of Previous determination)*

Check Appropriate Block:

1. ☐ I have determined that this permit application DOES NOT contain prime farmland in accordance with the edition of the current county Prime Farmland Map Unit List found in the county Field Office Technical Guide.
2. ☒ I have found that this permit application CONTAINS prime farmland in accordance with the edition of the Prime Farmland Map Units for Ohio and for the current county Prime Farmland Map Unit List, whichever is more current.

A soil map has been attached and prime unit(s) are as follows:

Soil Map Symbol

Map Unit Name

WMB

Westmoreland Silt Loam 3-8%

Cg

Chagrin Silt Loam, occasionally flooded

Signature: _____

Jeff Bettinger
Jeff Bettinger, Natural Resources Conservation Service
1119 East Main St., Barnesville, OH 43713 (740) 425-1100 Ext. 112

Prime Farmland Description
(Original undisturbed soil profile)

Cg- Chagrin Silt Loam, occasionally flooded

Typically, the surface layer is a dark grayish brown, friable silt loam and loam about 34 inches thick. The substratum to about 62 inches is stratified brown and dark yellowish brown, friable loam and sandy loam.

Hay yield- 4.5 ton/acre

Addendum to Part 3, Page 27, Item G(5)
American Energy Corporation

Chief
Division of Mineral Resources Management
1855 Fountain Square Court
Columbus, Ohio 43224

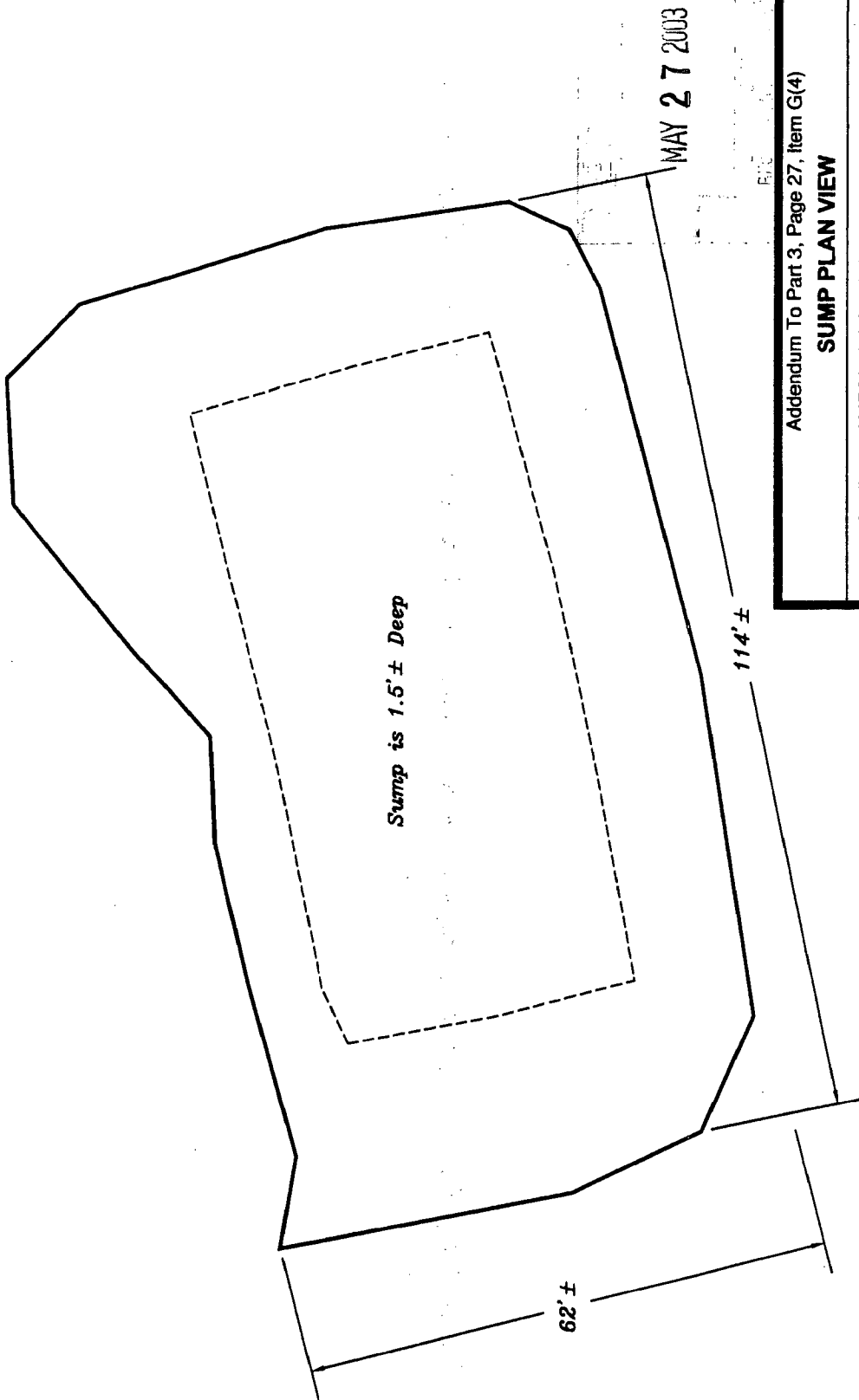
Re: Small Area Drainage Exemption, IBR-0425-8

Dear Chief:

American Energy Corp. is hereby requesting a Small Area Drainage Exemption for this I.B.R. area containing 3.1 acres. As shown on the I.B.R. map the S.A.D.E. encompasses the entire I.B.R. area. Activities within the S.A.D.E. will include installation of a slurry line and construction of a sump for slurry line clean out. Runoff from the S.A.D.E. area will be controlled by seeding and mulch. This method of sediment control will be the most effective for this site considering the shape, size and minimal amount of time of actual disturbance. The S.A.D.E. area will be visually monitored and maintained as necessary. All runoff will meet effluent limitations.

Luzie Utter

APPROVED	<input checked="" type="checkbox"/>
DISAPPROVED	<input type="checkbox"/>
DATE:	<u>7-1-03</u>
SIGNED	<u><i>Michael L. Gonzalez</i></u> Chief



Addendum To Part 3, Page 27, Item G(4)

SUMP PLAN VIEW

Applicant: AMERICAN ENERGY CORPORATION IBR-0425-8

Section: 34 Township: 5 Range: 4

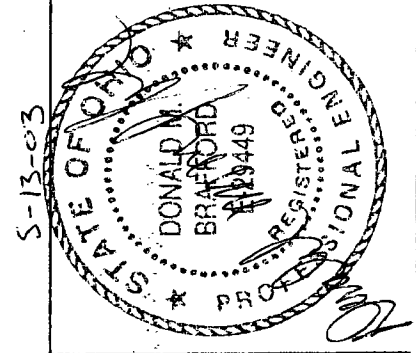
Township: WASHINGTON County: BELMONT

Scale: 1" = 20'

Date: 03/19/03 Revised: 5-23-03

Comm #: 02001

342 High St., Box 471
Flushing, Ohio 43977
Ph: (740) 968-4947
Fax: (740) 968-4225
e-mail: hamilton@1st.net
www.hamiltonandassoc.com



Notes:

1. Sump is for slurry line
clean out purposes only.
2. Sump is lined with compacted,
impermeable clay.

Addendum to Part 3, Page 27, Item G(5)
Stream Buffer Zone Variance Request
American Energy Corporation

Chief
ODNR, Division of Mineral Resources Management
1855 Fountain Square Court
Columbus, OH 43224

Dear Chief:

American Energy Corporation is hereby requesting a variance to conduct coal mining activities within the buffer zone of Captina Creek, Berrys Run, and Casey Run, as shown on the enclosed I.B.R. map.

SPECIFIC ACTIVITIES:

Captina Creek

Activities conducted within the buffer zone of Captina Creek consist of the placement of an underground slurry line used to carry slurry from the Century Mine Preparation Plant to the approved refuse disposal area located on Permit D-0360.

For purpose of description, the beginning point of Captina Creek, where the slurry line is within the buffer zone, is approximately 220 feet northwest of the intersection of Berrys Run and Captina Creek, and then continues downstream in a southeast direction for a distance of approximately 975 feet. Captina Creek is influenced upstream (including the North and South Forks) by residential and agricultural activities. Downstream influences include mining, residential, and agricultural. Previous influences from railroad facilities and mining have also occurred in this portion of the buffer zone of Captina Creek.

Existing instream physical habitat conditions consist of a substrate of cobble and gravel of limestone and sandstone origin, with normal silt and embeddedness. Instream cover is moderate, with undercut banks, shallows, rootmats, and pools. The riparian width is narrow on the right bank and consists of forest/swamp, with heavy to severe bank erosion. Riparian width on the left bank is wide, consisting of shrub and an old field with moderate bank erosion. Maximum depth is 0.7 to 1.0 meters. Pool width equals riffle width, with moderate to slow velocities. Riffle/run substrates are moderately stable large gravel with low embeddedness. Channel morphology shows low sinuosity, good development, recovered channelization, and moderate stability.

Approximately 975 feet of the underground slurry line encroaches within the buffer zone of Captina Creek. The underground slurry line and associated installation limits are no closer than 25 feet from the north bank of Captina Creek. Disturbance consists of a 10 foot wide strip within the buffer zone for installation of the underground slurry line. Straw and/or hay bales, and if necessary, silt fence or sumps were utilized during installation to prevent additional sediment contribution to Captina Creek. Installation of this portion of the slurry line took approximately 2 weeks. This underground portion of the slurry line will remain in place following reclamation.

Existing trees and riparian vegetation within 25 feet of the north bank of Captina Creek were left intact. Reconstruction of Captina Creek will not be necessary, the stream channel will not be disturbed.

A portion of the slurry line crosses over Captina Creek attached to, and supported by, the bridge described and approved in the 5.1 Ac. IBR (approved 04/02). The slurry line follows the bridge supports, and is not within the stream channel. Installation of this portion of the slurry line took approximately 2 days. This portion of the slurry line will be removed simultaneously with bridge removal during reclamation. The ends where the slurry line where it goes underground will be capped off.

When installation of the underground slurry line was completed, the area disturbed within the buffer zone was regraded and revegetated.

No wetlands are located within these portions of the buffer zone of Captina Creek.

Per the C.O.E., no permitting was necessary for the bridge crossing in the 5.1 Ac. IBR, and the slurry line is now actually part of (attached to) the bridge supports. No C.O.E. or E.P.A. permits were required.

Berrys Run

Activities conducted within the buffer zone of Berrys Run consist of the placement of an underground slurry line used to carry slurry from the Century Mine Preparation Plant to the approved refuse disposal area located on Permit D-0360.

For purpose of description, the beginning point of Berrys Run, where the slurry line is within the buffer zone, is approximately 85 feet north of the intersection of Berrys Run and Captina Creek, and then continues upstream in a northerly direction for a distance of approximately 10 feet. Other factors influencing Berrys Run upstream include agricultural and residential.

Approximately 200 feet of the underground slurry line encroaches within the buffer zone of Berrys Run. The underground slurry line and associated installation limits cross Berrys Run, buried in the ground, on top of the existing culvert which carries water from Berrys Run to Captina Creek. Disturbance consists of a 10 foot wide strip within the buffer zone for installation of the underground slurry line. Straw and/or hay bales, and if necessary, silt fence or sumps were utilized during installation to prevent additional sediment contribution to Berrys Run. This portion of the slurry line took approximately 1 week to install.

Existing instream physical habitat conditions consist of a substrate of cobble and bedrock of limestone, sandstone, and shale origin, with normal to moderate silt and moderate embeddedness. Instream cover is moderate, with undercut banks, shallows, logs and woody debris. The riparian width is narrow on the right bank and consists of shrub and old field, with heavy to severe bank erosion. Riparian width on the left bank is wide, consisting of shrub and old field with moderate bank erosion. Maximum depth is <0.2 meters. Channel morphology shows low sinuosity, good development, recovered channelization, and moderate stability.

Existing trees and riparian vegetation outside the 10 foot strip necessary for installation of the slurry line were left intact.

When installation of the underground slurry line was completed, the area disturbed within the buffer zone was regraded and revegetated. This underground portion of the slurry line will remain permanent after mining.

No wetlands exist within this portion of the buffer zone of Berrys Run.

The stream channel of Berrys Run was not disturbed by slurry line installation, therefore, no C.O.E. or E.P.A. permits were required.

Casey Run

Activities conducted within the buffer zone of Casey Run consist of the placement of an underground slurry line used to carry slurry from the Century Mine Preparation Plant to the approved refuse disposal area located on Permit D-0360.

For purpose of description, the beginning point of Casey Run, where the slurry line is within the buffer zone, is approximately 70 feet northwest of the intersection of Casey Run and S.R. 148, and then continues upstream in a northeast direction for a distance of approximately 1600 feet. Then, the slurry line is outside the buffer zone for a distance of approximately 1000 feet, then reenters the buffer zone and crosses Casey Run upstream at 1195 feet. Disturbance consists of a 10 foot wide strip being 1600 feet in length for the downstream buffer zone and 200 feet in length for the upstream buffer zone for installation of the underground slurry line. Straw and/or hay bales, and if necessary, silt fence or sumps were utilized during installation to prevent additional sediment contribution to Casey Run. A total of approximately 1800 feet of the slurry line is within the buffer zone of Casey Run. This portion of the slurry line took approximately 1 month to install.

Existing instream physical habitat conditions consist of a substrate of cobble and bedrock of limestone, sandstone, and shale origin, with normal to moderate silt and moderate embeddedness. Instream cover is moderate, with overhanging vegetation, shallows, logs and woody debris. The riparian width is narrow and consists of forest, shrub and old field, with moderate bank erosion. Maximum depth is <0.2 meters. Channel morphology shows low sinuosity, good development, recovered channelization, and moderate stability. Other factors influencing Casey Run upstream are agricultural and residential.

Existing trees and riparian vegetation outside the 10 foot strip necessary to install the slurry line were left intact. On the 1600 foot portion, installation of the slurry line is no closer than 10 feet from the stream channel of Casey Run.

When installation of the underground slurry line was completed, the area disturbed within the buffer zone was regraded and revegetated. The underground portions of the slurry line will remain permanent after reclamation.

No wetlands exist within this portion of the buffer zone of Casey Run.

The slurry line crosses Casey Run approximately 75' north of the north line of Section 34, within the stream channel. The slurry line was installed on the floor of the stream and covered with rock for stability. The stream flows through the rock in a southerly direction and continues downstream. Approximately 10 feet of the stream channel was affected by this crossing. *This portion of the slurry line will be removed during reclamation. The rock used for stability will be removed from the stream. The portion of the slurry line within the stream bed channel will be carefully cut off and*

removed. The ends of the slurry line that go underground on either side of the stream channel will be permanently capped. Ponding and pooling will be eliminated. The stream channel will be returned to its original configuration. The channel grade will not be altered. The removal of the slurry line within the stream will be conducted as expediently as possible during favorable weather conditions to minimize the duration of additional sediment contribution downstream. Riparian vegetation disturbed during line removal will be replaced. Disturbance within the buffer zone for slurry line removal will take one day, and will occur when the line is no longer necessary for transportation of slurry.

Per the C.O.E., permitting necessary for the crossing in Casey Run is the Nationwide 12. The approved permit is attached as an Addendum to Part 3, Page 27, Item E(2).

Unnamed Stream "A" (as shown on 12.0 Ac. IBR Approved 10/01)

The activity conducted within the buffer zone of Stream "A" consist of placement of the underground slurry line used to carry slurry from the Century Mine Preparation Plant to the approved refuse disposal area located on Permit D-0360. (Please note that this portion of the slurry line is currently within the permit limits of D-0425, however, the activities covered in the BZVR for the above referenced 12.0 Ac. IBR did not include installation of the slurry line).

For purpose of description, the beginning point of Stream "A", where the slurry line is within the buffer zone, is approximately 1350 feet northwest of the intersection of T.R. 74 and Haul Road 001, and then continues downstream in a northerly direction for a distance of approximately 10 feet. Previous mining activities have influenced Stream "A".

Approximately 200 feet, basically following the north side of Haul Road 001, of the underground slurry line encroaches within the buffer zone of Stream "A". The underground slurry line and associated installation limits cross Stream "A", buried in the ground, on top of the existing culvert which carries Stream "A" water under Haul Road 001. Disturbance consists of a 10 foot wide strip within the buffer zone for installation of the underground slurry line. Straw and/or hay bales, and if necessary, silt fence or sumps were utilized during installation to prevent additional sediment contribution to Stream "A". This portion of the slurry line took approximately 1 week to install.

Existing instream physical habitat conditions consist of a substrate of cobble and detritus of sandstone and shale origin, with normal silt and embeddedness. Instream cover is moderate, with overhanging vegetation, shallows, logs and woody debris. The riparian width is wide, consisting of forest, with moderate bank erosion. Maximum depth is <0.2 to 0 meters. Pool width equals riffle width, with moderate to slow velocities. Riffle run substrates are moderately stable large gravel with moderate embeddedness. The morphology of the stream shows moderate sinuosity, fair development, recovering channelization, moderate stability, and modifications of relocation and bank shaping.

Existing trees and riparian vegetation outside the 10 foot strip necessary for installation of the slurry line were left intact.

When installation of the underground slurry line was completed, the area disturbed within the buffer zone was regraded and revegetated. This underground portion of the slurry line will remain permanent after mining.

No wetlands exist within the buffer zone of Stream "A".

The channel of Stream "A" was not disturbed by slurry line installation, therefore, no C.O.E. or E.P.A. permits were required.

NECESSITY OF ACTIVITIES

Installation of the underground slurry line was of absolute necessity to allow for disposal of slurry from the preparation plant, at an approved facility. Transportation of slurry by truck to the disposal site within Permit D-0360 would not be feasible due to spillage associated with truck transportation of slurry. Spillage onto public roads and contamination of adjacent streams due to runoff of spillage would pose a much greater environmental impact on streams.

WATER QUALITY/QUANTITY AND ENVIRONMENTAL RESOURCES

Water quality in Captina Creek is good. Water analysis conducted prior to this submission shows all parameters within effluent limitations. Captina Creek is a large perennial stream, originating from the Barnesville Reservoir. Stream quantity ranges from; 9.0 cfs during low flow conditions, 28.6 cfs during intermediate flow conditions, with a high flow of 338 cfs recorded March, 1994 during high flow sampling for Permit D-1159. Riparian vegetation within the buffer zone consists of ferns, wild garlic, and grasses such as oats, fescue, and timothy, with hardwoods such as oak, cottonwood, wild cherry, sycamore, buckeye, willow, and box elder.

Water quality in Berrys Run is fair. Water analysis conducted prior to this submission shows elevated pH values, no acidity, with all parameters within effluent limitations. Berrys Run is a perennial stream, originating from head of hollow. Stream quantity ranges from; 20 gpm during low flow conditions to 0.1 cfs during high flow conditions. Riparian vegetation within the buffer zone consists of ferns, wild garlic, with no grasses present on 3-18-03. Hardwoods such as beech, elm, white oak, sycamore, buckeye, and box elder.

Water quality in Casey Run is fair. Water analysis conducted prior to this submission shows elevated pH values, no acidity, with all parameters within effluent limitations. Casey Run is a perennial stream, originating from head of hollow. Stream quantity ranges from; 0.02 cfs during low flow conditions to 0.25 cfs during high flow conditions. Riparian vegetation within the buffer zone consists of grasses such as fescue and timothy, with hardwoods such as walnut, white oak, hickory, beech, poplar, and box elder.

Note: No trees were disturbed during installation of the slurry line.

SEQUENCING OF OPERATIONS

The slurry line has been installed, the 10 to 16 foot wide strip has been regraded and revegetated. The above ground portions of the slurry line will remain in place for a period not to exceed two (2) years following closure of the mine. If mining activities warrant removal of the above ground portions of the slurry line at an earlier date, ODNR will be contacted.

STREAM RECONSTRUCTION, DIVERSION, OR RELOCATION

No stream reconstructions, diversions, or relocations, are proposed for this project. The issue of buffer zone affects as well as the locations of the activities were addressed in the previous sections of this document.

Normal site maintenance will be carried on throughout the life of the associated mining operation.

Flooding potential is not an issue in respect to the proposed activity.

REVEGETATION:

The following species and amounts of vegetation and/or trees and shrubs will be planted a minimum width of two and a half times the channel bottom width where any disturbance within the buffer zones has occurred.

<u>Species</u>	<u>Amount/Rate (lbs./Ac.)</u>
<u>Grasses and Legumes</u>	
Perennial Ryegrass	5 lbs./Ac.
Foxtail Millet	5 lbs./Ac.
Red Top	3 lbs./Ac.
Birdsfoot Trefoil	5 lbs./Ac.
Appalow Lespedeza	15 lbs./Ac.

Trees and Shrubs

Green Ash

Sycamore } Rows will be spread four (4) feet apart, with a staggered eight
Button Bush (8) foot spacing between seedlings/cuttings.

Trees and shrubs will be planted as described above. Areas planted with riparian vegetation will not be cut or mowed so as to encourage the development of volunteer vegetation. Species of trees, shrubs, grasses and legumes which appear naturally will not be removed but will remain to enhance wildlife environment along the streams.

Care was taken to disturb only that portion of the buffer zone necessary to accomplish the objectives of this permit. All work within the stream buffer zone was performed in a timely and workmanlike manner to avoid, as best as can be accomplished, detrimental effects on the streams.

Yours truly,

Ellen Greer

APPROVED	<input checked="" type="checkbox"/>
DISAPPROVED	<input type="checkbox"/>
DATE:	7-1-03
SIGNED	<i>Michael L. Spore</i>
	Chief



DEPARTMENT OF THE ARMY
PITTSBURGH DISTRICT, CORPS OF ENGINEERS
WILLIAM S. MOORHEAD FEDERAL BUILDING
1000 LIBERTY AVENUE
PITTSBURGH, PA 15222-4186

REPLY TO
ATTENTION OF:

April 15, 2003

Operations and Readiness Division
Regulatory Branch
200300425

Mr. Donald M. Brafford
Jack A. Hamilton & Associates, Inc.
Box 471
342 High Street
Flushing, Ohio 43977

Dear Mr. Brafford:

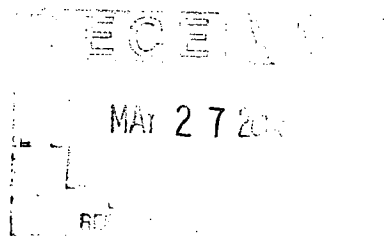
I refer to your Department of the Army Permit Application, received in this office March 24, 2003 regarding the proposal by American Energy Corporation to construct a slurry pipeline crossing over Casey Run in Washington Township, Belmont County, Ohio.

Activities associated with projects of this type are authorized by Nationwide Permit No. 12 (see enclosure), previously issued by the Corps of Engineers for purposes of Section 404 of the Clean Water Act, as published in the January 15, 2002 issue of the Federal Register.

Enclosed is a list of conditions which must be followed for the Nationwide Permit to be valid. Adherence to these conditions will permit you to proceed with the proposed project. **Please Note**, the attached Compliance Certification Form must be signed and returned to this office upon completion of the proposed work.

The verification of this Nationwide Permit is valid until April 15, 2005 unless the Nationwide Permit is modified, suspended, or revoked. If project specifications are changed or work has not been initiated before April 15, 2005, please contact this office for further approval.

The issuance of this Nationwide Permit will not relieve you of the responsibility to obtain any other required state, local, or Federal authorizations.



-2-

If you have any questions, please contact Richard Sobol at
(412) 395-7153.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. H. Rogalla", written in dark ink.

Albert H. Rogalla
Chief, Regulatory Branch

Enclosure

Compliance Certification Form

PERMIT NUMBER: 200300425

NAME OF PERMITTEE: American Energy Corporation

DATE OF ISSUANCE: April 15, 2003

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Pittsburgh District
Regulatory Branch, Room 1834
William S. Moorhead Federal Building
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Please note that your permitted activity is subject to compliance inspection by a U.S. Army Corps of Engineers Representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

(12) Utility Line Discharges. Discharges of dredged or fill material associated with excavation, backfill or bedding for utility lines, including outfall and intake structures, provided there is no change in preconstruction contours. A "utility line" is defined as any pipe or pipeline for the transportation of any gaseous, liquid, liquefiable, or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, telephone and telegraph messages, and radio and television communication. The term "utility line" does not include activities which drain a water of the United States, such as drainage tile; however, it does apply to pipes conveying drainage from another area. This NWP authorizes mechanized landclearing necessary for the installation of utility lines, including overhead utility lines, provided the cleared area is kept to the minimum necessary and preconstruction contours are maintained. However, access roads, temporary or permanent, or foundations associated with overhead utility lines are not authorized by this NWP. Material resulting from trench excavation may be temporarily sidecast (up to three months) into waters of the United States, provided that the material is not placed in such a manner that it is dispersed by currents or other forces. The DE may extend the period of temporary side-casting not to exceed a total of 180 days, where appropriate. The area of waters of the United States that is disturbed must be limited to the minimum necessary to construct the utility line. In wetlands, the top 6" to 12" of the trench should generally be backfilled with topsoil from the trench. Excess material must be removed to upland areas immediately upon completion of construction. Any exposed slopes and stream banks must be stabilized immediately upon completion of the utility line. (See 33 CFR Part 322).

Notification: The permittee must notify the district engineer in accordance with the "Notification" general condition, if any of the following criteria are met:

- a) Mechanized landclearing in a forested wetland;
- b) A Section 10 permit is required for the utility line;
- c) The utility line in waters of the United States exceeds 500 feet; or,
- d) The utility line is placed within a jurisdictional area (i.e., a water of the United States), and it runs parallel to a streambed that is within that jurisdictional area. (Sections 10 and 404)

Ohio State Certification General Conditions apply to this nationwide permit.

Ohio State Certification Special Conditions and Limitations:

The length of utility line crossings in streams and/or rivers shall not exceed twice the width of the waterbody at that location.

This Nationwide Permit shall authorize sidecasting or stockpiling of dredged material for a maximum of 3 months.

In wetlands, at least the top six inches of backfill over a utility line shall consist of the topsoil material removed from the trench.

The Ohio Administrative Code Rule 3745-1-01 requires that notice must be given to the Director of Ohio EPA before chemicals are applied for the control of aquatic plants or animals in waters of the State (including wetlands). Applicants who intend to use chemicals in waters of the State shall contact the Ohio EPA, Division of Surface Water P.O. Box 1049, Columbus, OH 43216-1049 prior to the applications of any chemicals.

This Nationwide Permit shall not authorize utility line installations greater than 1000 feet in length in forested wetlands, which are defined by Cowardin, Lewis M., 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Washington, D.C. to be characterized by woody vegetation that is 6 meters tall or taller. All water regimes are included except subtidal.

NATIONWIDE PERMIT CONDITIONS

GENERAL CONDITIONS:

The following general conditions must be followed in order for any authorization by a NWP to be valid:

1. **Navigation.** No activity may cause more than a minimal adverse effect on navigation.
2. **Proper maintenance.** Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.
3. **Erosion and siltation controls.** Appropriate erosion and siltation controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date.

4. Aquatic life movements. No activity may substantially disrupt the movement of those species of aquatic life indigenous to the waterbody, including those species which normally migrate through the area, unless the activity's primary purpose is to impound water.

5. Equipment. Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance.

6. Regional and case-by-case conditions. The activity must comply with any regional conditions which may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state or tribe in its section 401 water quality certification.

7. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status; unless the appropriate Federal agency, with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely effect the Wild and Scenic River designation, or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service.)

8. Tribal rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

9. Water quality certification. In certain states, an individual Section 401 water quality certification must be obtained or waived (see 33 CFR 330.4(c)).

10. Coastal zone management. In certain states, an individual state coastal zone management consistency concurrence must be obtained or waived (see Section 330.4(d)).

11. Endangered Species.

(a) No activity is authorized under any NWP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which is likely to destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or critical habitat might be affected or is in the vicinity of the project, and shall not begin work on the activity until notified by the District Engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized.

(b) Authorization of an activity by a nationwide permit does not authorize the "take" of a threatened or endangered species as defined under the Federal Endangered Species

Act. In the absence of separate authorization (*e.g.*, an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, *etc.*) from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service, both lethal and non-lethal "takes" of protected species are in violation of the Endangered Species Act. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. Fish and Wildlife Service and National Marine Fisheries Service or their world wide web pages at <http://www.fws.gov/~r9endspp/endspp.html> and http://kingfish.spp.mnfs.gov/tmcintyr/prot_res.html#ES and Recovery, respectively.

12. *Historic properties.* No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the DE has complied with the provisions of 33 CFR Part 325, Appendix C. The prospective permittee must notify the District Engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)).

13. *Notification.*

Notification requirements are not applicable if have been satisfied.

14. *Compliance certification.* Every permittee who has received a Nationwide permit verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter and will include:

- a. A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions;
- b. A statement that any required mitigation was completed in accordance with the permit conditions;
- c. The signature of the permittee certifying the completion of the work and mitigation.

15. *Multiple use of Nationwide permits.* In any case where any NWP number 12 through 40 is combined with any other NWP number 12 through 40, as part of a single and complete project, the permittee must notify the District Engineer in accordance with paragraphs a, b, and c on the "Notification" General Condition number 13. Any NWP number 1 through 11 may be combined with any other NWP without notification to the Corps, unless notification is otherwise required by the terms of the NWPs. As provided at 33 CFR 330.6(c) two or more different NWPs can be combined to authorize a single and

complete project. However, the same NWP cannot be used more than once for a single and complete project.

SECTION 404 ONLY CONDITIONS:

In addition to the General Conditions, the following conditions apply only to activities that involve the discharge of dredged or fill material into waters of the U.S., and must be followed in order for authorization by the NWPs to be valid:

1. *Water supply intakes.* No discharge of dredged or fill material may occur in the proximity of a public water supply intake except where the discharge is for repair of the public water supply intake structures or adjacent bank stabilization.
2. *Shellfish production.* No discharge of dredged or fill material may occur in areas of concentrated shellfish production, unless the discharge is directly related to a shellfish harvesting activity authorized by NWP 4.
3. *Suitable material.* No discharge of dredged or fill material may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.,) and material discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).
4. *Mitigation.* Discharges of dredged or fill material into waters of the United States must be minimized or avoided to the maximum extent practicable at the project site (i.e., on-site), unless the District Engineer approves a compensation plan that the District Engineer determines is more beneficial to the environment than on-site minimization or avoidance measures.
5. *Spawning areas.* Discharges in spawning areas during spawning seasons must be avoided to the maximum extent practicable.
6. *Obstruction of high flows.* To the maximum extent practicable, discharges must not permanently restrict or impede the passage of normal or expected high flows or cause the relocation of the water (unless the primary purpose of the fill is to impound waters).
7. *Adverse effects from impoundments.* If the discharge creates an impoundment of water, adverse effects on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow shall be minimized to the maximum extent practicable.
8. *Waterfowl breeding areas.* Discharges into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.
9. *Removal of temporary fills.* Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

D. OHIO STATE CERTIFICATION GENERAL CONDITIONS FOR NATIONWIDE PERMITS.

The following general conditions apply to Nationwide Permits 3, 4, 5, 6, 7, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 25, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, and 40.

Steps shall be taken, upon completion of the projects, to ensure bank stability. This may include, but is not limited to, the placement of riprap or bank seeding.

Any damages to the immediate environment of the project by equipment needed for construction or hauling will be repaired immediately.

Care must be employed throughout the course of this project to avoid the creation of unnecessary turbidity which may degrade water quality or adversely affect aquatic life outside the project areas.

For Nationwide Permits 14, 21, (1-3 acres), 29, 33, 37, and 38, that require Agency coordination, in accordance with the Nationwide Permit General Condition entitled "Notification", Number 13(e)(i), the Corps shall submit a pre-construction notification to Ohio EPA for review and comment.

E. OHIO STREAM SEGMENTS DESIGNATED AS COLDWATER AND EXCEPTIONAL WARMWATER HABITATS.

Nationwide Permits 23, 26, 29, and 32 shall not authorized impacts to streams referenced on the following list.

Ohio Stream Segments Designated Coldwater Habit

Pittsburgh District

Ohio River Basin

SEGMENT	CWH TRIBUTARY TO
Longs Run	* McIntyre Creek-Cross Creek-Ohio River
Polecat Hollow	* McIntyre Creek-Cross Creek-Ohio River
Slabcamp Creek	* McIntyre Creek-Cross Creek-Ohio River
Slab Run	* McIntyre Creek-Cross Creek-Ohio River
Little McIntyre Creek	* McIntyre Creek-Cross Creek-Ohio River
Cedar Lick Run	* Cross Creek-Ohio River

Clay Lick Creek

* Cross Creek-Ohio River

Ohio Stream Segments Designated Coldwater Habit

Pittsburgh District

Ohio River Basin

SEGMENT	CWH TRIBUTARY TO
Grassy Run	* Salem Creek-Cross Creek-Ohio River
Lea Branch	* Salem Creek-Cross Creek-Ohio River
Permars Run	+ Wells Run-Ohio River
North Fork	+ Wills Creek-Ohio River
Island Creek	+ Ohio River
Jeddo Run	+ Ohio River
Goose Run	+ Ohio River
Nancy Run	+ North Fork-Yellow Creek-Ohio River
Center Fork	+ Elkhorn Creek-Upper North Fork-Yellow Creek-
Ohio R.	
Trail Run	+ Center Fork-Elkhorn Cr.-Upper North Fork-
Yellow Cr.-Ohio R.	
Mahoning River Basin	
Silver Creek	+ West Branch Mahoning River

Ohio Stream Segments Designated Exceptional Warmwater Habit

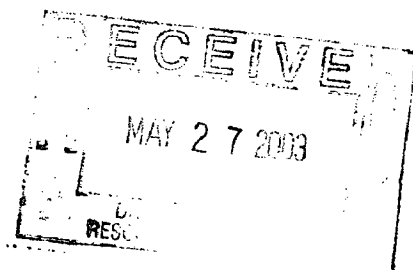
SEGMENT	CWH TRIBUTARY TO
Sunfish Creek - Paine Run to Nigger Run	+ Ohio River
Standingstone Run- RM 0.5 to the mouth	+ Sunfish Creek-Ohio R.
Captina Creek - confluence with North and South Forks to St. Rte. 7 (RM 0.8)	+ Ohio River
Bend Fork - Joy Fork (RM 4.0) to the mouth	+ Captina Creek-Ohio R.
North Fork - Long Run (RM 4.0) to the mouth	+ Captina Creek-Ohio R.
Elkhorn Creek	+ Yellow Creek-Ohio R.
Strawcamp Run	+ Elkhorn Creek-Yellow Creek-Ohio River
Frog Run	* Center Fork-Elkhorn Creek-Yellow Creek-
Ohio R.	
Little Beaver Creek	+ Ohio River
Middle Fork- spillway at Lisbon (RM 12.5) to confluence with West Fork	+ Little Beaver Creek-Ohio R.
WestFork - confluence with Brush Creek to mouth	+ Little Beaver Creek-Ohio R.

*Designated use based on the 1978 water quality standards;

+Designated use based on the results of a biological field assessment performed by the Ohio Environmental Protection Agency.

Donald M. Brafford
Jack A. Hamilton & Associates, Inc.
Box 471
342 High Street
Flushing, OH 43977

Melanie Homan
American Energy Corporation
43521 Mayhugh Hill Road
Beallsville, OH 43716



Ohio Department of Natural Resources
Division of Mineral Resources Management
Fountain Square, H-3
Columbus, Ohio 43224

AMERICAN ENERGY CORP
43521 Mayhugh Hill Rd.
Beallsville, OH 43716

InvoiceNo: 4528
Invoice Date: 06/23/2003
Print Date: 06/23/2003
Permit Type: C
Permit Law: D No: 425
Orig. App. No.: 277

Re: Request for Bonds and Fees

Dear Sir/Madam:

The following action has been approved or completed as of: 06/20/2003

Application: IBR-8

Bond and fees in the amounts shown below are due before the application can be issued. Bond may be in the form of Surety Bond, Cash Bond, Certificate of Deposit or Letter of Credit.

The fees and bond should be paid to the Division of Mineral Resources Management within thirty(30) days from the date shown above and should reference the given invoice number to insure proper credit. All checks should be payable to the State of Ohio and sent to my attention at the above address.

Bond Amount			Fee Amount		
3.10 x	\$2,500.00 =	\$7,750.00	3.1 x	\$75.00 =	\$232.50 Acreage Fee
Amount Paid:		\$58,250.00	Total:		\$232.50
Amount Paid:		\$0.00	Amount Paid:		\$0.00
Bond Due: (\$50,500.00)			Fees Due: \$232.50		

If you have any questions concerning this billing, please contact me at (614) 265-6633

Sincerely,

Tom Gibson
For Russ Gibson
Division of Mineral Resources Management

cc: File
CAMBRIDGE

THIS INVOICE MUST BE RETURNED WITH YOUR PAYMENT

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management

RECEIPT FOR CASH OR BOND REVENUE

AMERICAN ENERGY CORP
43521 Mayhugh Hill Rd.
Beallsville, OH 43716

Receipt No: **7454**
Print Date: 01 Jul 2003

Permit Type: Coal Law: D No: 425
OA App#: 277

DMR Acct: Type: Check/Bond No:
2964-01 C 1754

Institution:

Amount: Purpose:
\$232.50 Acreage Fee
IBR 8

Memo: Application: IBR-8

-This receipt is to signify that revenue was received by the Ohio Division of Mineral Resources Management

-Please keep this receipt for your records

Thank you for your payment.

Distribution: ☐ Permittee ☐ Bond Agent ☐ File Columbus Office ☐ CAMBRIDGE

Received By:

Tom F...

AEC 08203



Coal Mining and Reclamation Permit Incidental Boundary Revision (IBR)

Issued To: AMERICAN ENERGY CORP
43521 Mayhugh Hill Rd.
Beallsville, OH 43716

Telephone: (740) 926-9152

Permit Number: D-425
Application Number: IBR-0425-9
Acreage: 1.70
Effective: 08/15/2003
Expires: 10/21/2004

Type of Operation: Underground (Longwall)

Reason: Bleeder Shaft

LOCATION OF PERMIT AREA

NAME OF LANDOWNERS	T	R	SECTION	LOTS	TOWNSHIP	COUNTY
R. Sr. & S. Reger	5	4	20		WASHINGTON	BELMONT
	5	4	14		WASHINGTON	BELMONT

The issuance of this IBR means only that the application to conduct a coal mining operation meets the requirements of Chapter 1513 of the Revised Code, and as such DOES NOT RELIEVE the operator of any obligation to meet other federal, state or local requirements.

This IBR is issued in accordance with and subject to the provisions, conditions, and limitations of Chapter 1513 of the Revised Code and Chapters 1501:13-1, 1501:13-3 through 1501:13-14 of the Administrative Code.

The approved water monitoring plan for this IBR is:

Quality: N/A

Quantity: N/A

Note: Any previous condition(s) imposed on this permit, or subsequent adjacent areas, also apply to this IBR unless noted otherwise.

Signature: Michael G. Spender by R. R. R. **Date:** 08/15/2003
Chief, Mineral Resources Management



Ohio Department of Natural Resources

BOB TAFT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

Ohio Department of Mineral Resources Management

Michael L. Sponsler, Chief
1855 Fountain Square Court-Bldg. H-3
Columbus, Ohio 43224-1383
Phone: (614) 265-6633 Fax: (614) 265-7999

Date: 06/20/2003

To: Appropriate Governmental Agencies

From: Scott Stiteler, Application Manager

Re: Incidental Boundary Revision (IBR) Application:

Permit Number: D-425

Application Number: IBR-0425-9

IBR Application Acreage: 1.7

Proposed Activity: Bleeder Shaft

Applicant: AMERICAN ENERGY CORP

43521 Mayhugh Hill Rd.

Beallsville, OH 43716

In an effort to insure notification of all interested governmental agencies of the receipt of IBR applications, we are providing you with this courtesy notification. Your comments and/or concerns about this application are welcome and should be directed to the Division of Mineral Resources Management at the number listed below. Chapter 1513 of the Ohio Revised Code does not require public notice or filing of IBR's, however, should you wish to review or comment on the application you may do so by contacting the Division of Mineral Resources Management, Permitting Hydrology Section. Comments should be forwarded within thirty (30) days of receipt of this letter in order to be considered in our decision-making process. Should you have questions regarding this application, please contact me at (614) 265-6633.

IBR LOCATION INFORMATION:

COUNTY	TOWNSHIP	SECTION	LOTS	T	R	Quad
BELMONT	WASHINGTON	14		5	4	CAMERON
BELMONT	WASHINGTON	20		5	4	CAMERON

Note: IBR's cannot be submitted for the purpose of coal removal.

District Office: CAMBRIDGE

Distribution List:

Office of Surface Mining
Eastland Professional Plaza
4480 Refugee Road, Suite 201
Columbus, OH 43232

Ohio Historical Preservation Office
567 East Hudson Street
Columbus, OH 43211-1030

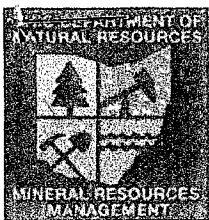
Butch Grieszmer
Division of Natural Areas & Preserves
1889 Fountain Square Ct., Bldg. F-1
Columbus, OH 43224-1388

Jack A. Hamilton & Associates, Inc.
P.O. Box 471
342 High Street
Flushing, OH 43977

Belmont County Commissioners
Courthouse
Main Street
St. Clairsville, OH 43950

Belmont County Planning Commission
Courthouse
Main Street
St. Clairsville, OH 43950

Washington Township Trustees
c/o Loretta Goddard, Clerk
46540 E. Captina Hwy.
Alledonia, OH 43902



Ohio Department of Natural Resources

BOB TAFT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

Ohio Department of Mineral Resources Management

Michael L. Sponsler, Chief
1855 Fountain Square Court-Bldg. H-3
Columbus, Ohio 43224-1383
Phone: (614) 265-6633 Fax: (614) 265-7999

Date: 06/20/2003
To: Appropriate Governmental Agencies
From: Scott Stiteler, Application Manager
Re: Incidental Boundary Revision (IBR) Application:
Permit Number: D-425
Application Number: IBR-0425-9
IBR Application Acreage: 1.7
Proposed Activity: Bleeder Shaft

Applicant: AMERICAN ENERGY CORP
43521 Mayhugh Hill Rd.
Beallsville, OH 43716

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IBR LOCATION INFORMATION:

COUNTY	TOWNSHIP	SECTION	LOTS	T	R	Quad
BELMONT	WASHINGTON	14		5	4	CAMERON
BELMONT	WASHINGTON	20		5	4	CAMERON

Note: IBR's cannot be submitted for the purpose of coal removal.

District Office: CAMBRIDGE

Distribution List:

Office of Surface Mining
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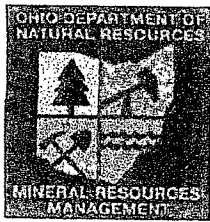
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Courthouse
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St. Clairsville, OH 43950

Washington Township Trustees
c/o Loretta Goddard, Clerk
46540 E. Captina Hwy.
Alledonia, OH 43902



Coal Mining and Reclamation Permit Incidental Boundary Revision (IBR)

Issued To: AMERICAN ENERGY CORP
43521 Mayhugh Hill Rd.
Beallsville, OH 43716

Telephone: (740) 926-9152

Permit Number: D-425
Application Number: IBR-0425-9
Acreage: 1.70
Effective: 08/15/2003
Expires: 10/21/2004

Type of Operation: Underground (Longwall)

Reason: Bleeder Shaft

LOCATION OF PERMIT AREA

NAME OF LANDOWNERS	T	R	SECTION	LOTS	TOWNSHIP	COUNTY
R. Sr. & S. Reger	5	4	20		WASHINGTON	BELMONT
	5	4	14		WASHINGTON	BELMONT

The issuance of this IBR means only that the application to conduct a coal mining operation meets the requirements of Chapter 1513 of the Revised Code, and as such DOES NOT RELIEVE the operator of any obligation to meet other federal, state or local requirements.

This IBR is issued in accordance with and subject to the provisions, conditions, and limitations of Chapter 1513 of the Revised Code and Chapters 1501:13-1, 1501:13-3 through 1501:13-14 of the Administrative Code.

The approved water monitoring plan for this IBR is:

Quality: N/A

Quantity: N/A

Note: Any previous condition(s) imposed on this permit, or subsequent adjacent areas, also apply to this IBR unless noted otherwise.

Signature: Michael G. Spence by RGA **Date:** 08/15/2003
Chief, Mineral Resources Management

OPERATOR

Ohio Department of Natural Resources
Division of Mines & Reclamation

Application for an Incidental Boundary Revision
(This form cannot be utilized for the removal of coal)

Application for an Incidental Boundary Revision

Application Information

1. Permittee's Name: American Energy Corporation

2. Address: 43521 Mayhugh Hill Road
City, State, Zip: Beallsville, Ohio 43716
Telephone: (740) 926-9152

3. Coal Mining Permit Number: D-0425

4. Additional acres to be permitted: 1.7

5. Has this acreage been affected under this permit?

☐ Yes ☒ No

Has this acreage previously been affected?

☐ Yes ☒ No

6. Describe the reason this additional acreage is required.

Additional bleeder shaft is necessary for the Century Mine.

7. Describe the activities to be conducted on this area.

Construction of a bleeder shaft, diversion ditches, sump, topsoil storage, temporary spoil storage, and an electric sub-station. See Attached Addenda.

8. Is the information contained in the previously approved permit application applicable to this revised area?

☒ Yes ☐ No

If no, describe any changes to the previously approved permit application that will apply to this revised area.

IBR-0425-9

OPERATOR

Application for an Incidental Boundary Revision

Application Information

9. **Location of Additional Acres to be Affected During Permit Period.**
(List all surface and mineral owners and all locations applicable to each ownership as shown on the location map. If owner name is repeated, show address only once. If permittee is owner, address is not necessary.)

Name	Address City, State, Zip	County/ Township	
R. Sr. & S. Reger	457 West 45 th Street Shadyside, OH 43947	Belmont/Washington	
Section/ Lot	T-/ R-	State Plane X/ State Plane Y	Surface Owner/ Mineral Owner
14, 20	5 / 4	2,433,000 / 685,000	<input checked="" type="checkbox"/>
			<input type="checkbox"/>
Name	Address City, State, Zip	County/ Township	
Consolidated Land Co.	Box 505, 34208 Aurora Rd. Solon, OH 44139	Belmont / Washington	
Section/ Lot	T-/ R-	State Plane X/ State Plane Y	Surface Owner/ Mineral Owner
			<input type="checkbox"/>
14, 20	5 / 4	2,433,000 / 685,000	<input checked="" type="checkbox"/>
Name	Address City, State, Zip	County/ Township	
Section/ Lot	T-/ R-	State Plane X/ State Plane Y	Surface Owner/ Mineral Owner
			<input type="checkbox"/>
			<input type="checkbox"/>

Application for an Incidental Boundary Revision

Application Information

Name	Address City, State, Zip		County/ Township
Section/ Lot	T-/ R-	State Plane X/ State Plane Y	Surface Owner/ Mineral Owner
			<input type="checkbox"/>
			<input type="checkbox"/>
Name	Address City, State, Zip		County/ Township
Section/ Lot	T-/ R-	State Plane X/ State Plane Y	Surface Owner/ Mineral Owner
			<input type="checkbox"/>
			<input type="checkbox"/>

I, the undersigned authorized representative of the permittee, hereby attest that no coal has been or will be removed from the acreage identified in this application.

Printed Name: Robert D. Moore

Signature: 

Title: President

Date Signed: June 3, 2003

FOR DIVISION USE ONLY

This application is hereby **APPROVED** by the Chief, Division of Mineral Resources Management and effective this date. The acreage identified in Item 4 of this application is now part of permit 12-0425.

Date: 8-15-03 Signed:  Permit Number

Chief, Division of Mineral Resources Management

\$ 4,250⁰⁰ of performance bond and \$ 127⁵⁰ of acreage fee received on 8-11-03/8-5-03

Addendum to I.B.R., Page 1, Item 7
American Energy Corporation

1. Page 8, Item C(5): Yes. See Attachment 4.
2. Page 9, Item C(8)(a): See Attachment 8.
3. Page 13, Item D(6): Yes. AEC claims a valid existing right based on deed Volume 382 Page 81 executed in 1949, for T.R. 108, which includes surface rights for Parcel No. 6 (10) and/or 2-13-10 and 2-13-11. AEC further states that this coal is needed for, and immediately adjacent to, the ongoing coal mining operation which began in 1967 for which all mine plan approvals and permits were obtained prior to August 3, 1977 as the same is stated in original permit D-0425 in Part 1, Page 11, under Item D(6).
4. Page 14, Item D(7): Yes. G. Macko, et al. AEC claims a valid existing right based on deed Volume 382 Page 81 executed in 1949, which includes surface rights Parcel No. 6 (10) and/or 2-13-10 and 2-13-11. AEC further states that this coal is needed for, and immediately adjacent to, the ongoing coal mining operation which began in 1967 for which all mine plan approvals and permits were obtained prior to August 3, 1977 as the same is stated in original permit D-0425 in Part 1, Page 11, under Item D(6). See response to Item D(6) above.
5. Page 17, Item C(2): Yes. See I.B.R. Map & D-0425-3 for Attachment 14A and Attachment 14C.
6. Page 17, Item C(3): Yes. See I.B.R. Map and enclosed Attachment 14C. Also, see D-0425-3 for Attachment 14A & Attachment 14C.
7. Page 17, Item D(2): Yes. See I.B.R. Map and enclosed Attachment 14A and Attachment 14D. Also, see D-0425-3 for Attachment 14A and Attachment 14D.
8. Page 19, Item G(1): The proposed I.B.R. area contains 51% residential land and 49% undeveloped land.
9. Page 19, Item G(4): See Addendum to this item, Productivity Potential.
10. Page 19, Item G(5): No.
11. Page 19, Item G(6): The post-mining land use will be pasture land. The post-mining land use of pasture land will be aesthetically appropriate and corresponds with adjacent land uses. Grasses and legumes will be used as a cover crop. See Addendum to Part 2, Page 20, Item G(11) - Land Use Exhibit Map.

12. Page 20, Item G(8): See landowner comment form.
13. Page 20, Item G(11): Yes. See attached addenda to this item and Land Use Exhibit Map.
14. Page 20, Item G(12): No.
15. Page 20, Item H(1): No, see Attachment 16 and Addenda
16. Page 23, Item A(12)(e): The bleeder shaft will be constructed within the limits of the proposed I.B.R. area in the location shown on the I.B.R. Map. The shaft hole will be drilled approximately 12 feet in diameter with a finished steel lined hole diameter of 10 feet. The surface elevation of the bleeder shaft is approximately 986 m.s.l. making the depth of the shaft approximately 308'. The Pittsburgh #8 coal seam lies at an elevation of approximately 678. The facilities within the proposed I.B.R. area will be properly maintained throughout the life of the mining operation. A sump will be used for the storage of tailings. See Addendum to Part 3, Page 27, Item G(4) - Sump Plan View.

Upon final abandonment, all facilities will be dismantled and removed from the site and the shaft will be sealed as shown on Addendum to Part 3, Page 25, Item D(9) - Borehole Reclamation Detail. During reclamation of the bleeder shaft and the sump, the waste tailings generated from drilling the shaft and stored in the sump will be returned to the shaft and sealed during mine closure. The facilities will be removed within two years following the completion of coal removal from the mine.

17. Page 24, D (1 thru 4, & 6a): See approved A.R.P. R-0425-5 for responses to these items.
The proposed I.B.R. affected area will be reclaimed to approximate original contour.
18. Page 24, Item D(5): The topsoil storage will be on a stable area within the I.B.R. area. The average thickness of topsoil within the I.B.R. area is 6 inches. Subsoil ranges from 18 to 30 inches. Also see addendum to this item in approved A.R.P. R-0425-5.

19. Page 25, Item D(6)(b): Pasture Land

Species

8 lbs/ac Orchard Grass
7 lbs/ac Alfalfa

10 lb/ac Red Clover
10 lb/ac Timothy

20. Page 25, Item D(9): See Addendum to this item.
21. Page 27, Item G(1): Yes, see addend to this item for Overland Diversion Ditch Design Computation Sheet.

22. Page 27, Item G(4): See Sump Plan View, Addendum to Page 27, Item G(4).
23. Page 27, Item G(5): See addendum to this item for S.A.D.E. and Buffer Zone Variance Request. There are no wetlands nor streams on this I.B.R. site.

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION
ATTACHMENT 4
(ADJACENT OWNERS)

Applicant's Name American Energy Corporation

This attachment is to be completed and submitted with the permit application if the response to item C.(5) in Part 1 of the permit application is "yes".

Name of owner G. Macko et al

Address 1579 Union Street

City Barberton State Ohio Zip 44203

☒ Surface, ☒ Mineral

Name of owner _____

Address _____

City _____ State _____ Zip _____

_____ Surface, _____ Mineral

Name of owner _____

Address _____

City _____ State _____ Zip _____

_____ Surface, _____ Mineral

Name of owner _____

Address _____

City _____ State _____ Zip _____

_____ Surface, _____ Mineral

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATIONATTACHMENT 8
(SURFACE OWNERS' CONSENTS)Applicant's Name American Energy Corporation

This attachment may be completed and submitted with the permit application if the response to item C. (2) in Part 1 of the permit application is "yes."

I (We) the undersigned, hereby consent to the proposed surface mining of coal by the above named applicant on the lands described below on which I (We) are the legal surface owner(s) of record.

Owner's Name R. Reger, Sr.Owner's Signature Ronald R. Reger Date June 3-03County Belmont Township WashingtonSections 14, 20 Lots _____ Acres 2.0Owner's Name S. RegerOwner's Signature Sara Reger Date June 3-03County Belmont Township WashingtonSections 14, 20 Lots _____ Acres 2.0

Owner's Name _____

Owner's Signature _____ Date _____

County _____ Township _____

Sections _____ Lots _____ Acres _____

Owner's Name _____

Owner's Signature _____ Date _____

County _____ Township _____

Sections _____ Lots _____ Acres _____

WAD 3134-

LIMITED WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: THAT, WYOMING POCAHONTAS LAND CO., (fka Youghiogheny and Ohio Coal Company) an Ohio corporation, with office at 39 Robin Place, Beckley, WV 25801, hereinafter called "GRANTOR", in consideration of the sum of Ten Dollars (\$10) and other valuable considerations to it paid by Consolidated Land Company, an Ohio corporation, whose tax mailing address is Box 505, 34208 Aurora Road, Solon, Ohio 44139, hereinafter called "GRANTEE", the receipt and sufficiency of which are hereby acknowledged, does hereby GRANT, BARGAIN, SELL AND CONVEY with limited warranty covenants, to the Grantee, its successors and assigns, all of the remaining coal contained in or underlying the tracts of land more particularly described on Exhibit "A", attached hereto and made a part hereof.

TOGETHER with such mining rights and other rights and privileges pertinent to the tracts set forth on Exhibit "A".

(HEREINAFTER CALLED THE "Premises").

The Grantor makes no guarantee or warranty with respect to the quality or quantity of coal remaining in said premises herein conveyed and Grantee accepts said premises known as the Allison Mine in its present condition and circumstance.

TO HAVE AND TO HOLD such premises, unto the said Grantee, its successors and assigns, forever, EXCEPT AND SUBJECT as hereinbefore provided, and expressly SUBJECT to all legal highways, exceptions, reservations, conditions, servitudes, easements, rights, limitations and restriction shown by instrument of record.

AND the said Grantor hereby covenants with the said Grantee that said premises are free and clear from all encumbrances by, from or through the said Grantor, and except and subject as hereinbefore provided, and that the Grantor will warrant and defend the same to the Grantee, only as against the lawful claims

and demands of all persons claiming by, through or under the said Grantor herein, but against none other.

All of the afcrescribed Parcels are conveyed SUBJECT TO:

(1) All matters of record as of the 1st day of March, 1995, said matters of record include but are not limited to the provisions contained in the description hereinbefore set forth and the provisions contained in all prior conveyances of record;

(2) All liens for nondelinquent real property taxes and assessments;

IT is the intent of the Grantor herein to convey to the Grantee, its successors and assigns all of the Pittsburgh No. 8 coal and mining rights appurtenant thereto, situated in Belmont County, Ohio, of which the Grantor is seized at the date hereof.

IN WITNESS WHEREOF, Grantor has caused its name to be hereunto subscribed by its duly authorized officers, this 21st day of February, 1995.

Signed and acknowledged
in the presence of:

Rama Blevins
Rama Blevins

David Dove
David Dove

Denise V. Stewart
Denise V. Stewart

Karen Joseph
Karen Joseph

WYOMING POCAHONTAS LAND CO.,
an Ohio Corporation

By Hubert Payne
Hubert Payne
Its President

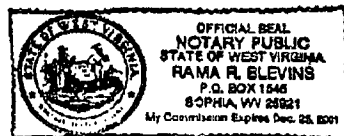
By Lauren Slone
Lauren Slone
Its Secretary

[NOTE: TYPE OR PRINT NAME OF
WITNESSES UNDER EACH SIGNATURE]

STATE OF West Virginia,
COUNTY OF Raleigh, SS:

On this the 21st day of February, 1995, before me, the undersigned Notary Public, personally appeared Hubert Payne, who acknowledged himself to be President of Wyoming Pocahontas Land Co., an Ohio corporation, and that as such officer being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation as President.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial seal.



Rama R. Blevins
Notary Public
My Commission Expires: Dec. 25, 2001

STATE OF Kentucky
COUNTY OF Madison, SS:

VOL 707 PAGE 3

On this the 2nd day of March, 1995, before me, the undersigned Notary Public, personally appeared Lauren Slone, who acknowledged herself to be Secretary of Wyoming Pocahontas Land Co., an Ohio corporation, and that as such officer being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation as Secretary.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial seal.

Denise V. Stewart
Notary Public
My Commission Expires: March 3, 1997

This Instrument Prepared By:
HANLON, DUFF, PALEUDIS & ESTADT CO., LPA
46457 National Road West
St. Clairsville, OH 43950

NEW DESCRIPTION
NECESSARY FOR FUTURE
TAX MAP TRANSFER
BY Fred C. Bennett
FRED C. BENNETT
BELMONT COUNTY ENGINEER

TRANSFERRED
FEE \$62.00 DATE 3-24-95
SECT. 319.202 R.C. FEE \$14.40
J.A. RAFFANO, AUDITOR
Janet Raffano DEPUTY

RECORDED
107
MAR 27 1995
STANLEY S. JORDAN
REC'D

Vol. 382 Pg. 81

ADDENDUM TO IBR, PAGE 1, ITEM 7,
PART 1, PG. 13, ITEM D(6) & PG. 14, D(7)
BENNOC, INC.

\$30.95

No. 43116

Transferred 2/15/49

★ LIMITED WARRANTY DEED ★

KNOW ALL MEN BY THESE PRESENTS, That Berkshire Farm, Inc., a corporation organized and existing under and by virtue of the laws of the State of Ohio, having its principal place of business at 1015 Williamson Building, Cleveland 14, Ohio, the Grantor, for the consideration of Ten Dollars (\$10.00) and other good and valuable consideration received to its full satisfaction of The Youghiogheny and Ohio Coal Company (sometimes known as The Youghiogheny & Ohio Coal Company), a corporation organized and existing under and by virtue of the laws of the State of Ohio, having its principal place of business at 330 Hanna Building, Cleveland 15, Ohio, the Grantee, does give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, the undivided one-half (1/2) interest heretofore acquired and owned by Peter M. Hitchcock in and to the following described property:

BLOCK 1

All the stone coal contained in the vein commonly known as the Pittsburgh Vein, and geologically known as Seam No. 8 in and underlying all of the following parcels and tracts of land situated in Washington and Wayne Townships, Belmont County, Ohio, and Sunbury Township, Monroe County, Ohio, together with the appurtenant easements, options, mining rights, and other rights and privileges hereinafter described:

PARCEL NO. 1 - WASHINGTON TOWNSHIP

Known as and being the southeast quarter of the southeast quarter of Section Twenty-one (21), Township Five (5), Range Four (4) in the District of Lands formerly subject to sale at Marietta, Ohio; containing Forty (40) Acres, more or less.

Second Tract: Known as and being the southwest quarter of the southeast quarter of Section Twenty-one (21), Township Five (5), Range Four (4), in the District of Lands formerly subject to sale at Marietta, Ohio, containing Forty (40) Acres, more or less.

The aforesaid premises having been conveyed by John Perkins and Alwildah Perkins, Husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11978, dated the 13th day of February, 1903, and recorded in Volume 141, Page 500 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 2 (3) - WASHINGTON TOWNSHIP.

Known as and being a part of Section 26, Township 5, Range 4 and bounded and described as follows: Beginning at a stone planted at the quarter corner between Sections 25 and 26 (being the center of the south line of said Section 26) and running thence west with the section line 40 rods to a stone planted; thence north 40.60 rods to the Danford line; thence east with said line 40 rods to a stone planted; thence north 40.84 rods to a stone planted; thence east 80.28 rods to a stone planted; thence south 80 rods to a stone planted on section line; thence west 80.20 rods to the place of beginning; containing Fifty (50) Acres and Thirty-four (34) Perches. EXCEPTING therefrom a tract used as a graveyard and described as follows: Beginning at a stone planted on the section line 3.15 rods west from a stone planted for the southeast corner for the above described tract; thence west 20 rods; thence north 4 rods; thence east 20 rods; thence south 4 rods to the place of beginning; containing one-half (1/2) acre.

Second Tract: Being in Section 25, Township 5, Range 4; beginning for the same on the section line at a stone planted at the northeast corner of the northwest quarter of Section 25, and running thence with the section line W. 40 rods; thence south 20 rods; thence east 40 rods; thence north 20 rods to the place of beginning; containing Five (5) Acres. (Stone monument at each corner.)

Containing in both tracts 54 acres and 114 perches, more or less.

The aforesaid premises having been conveyed by Elizabeth Riley, unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11982, dated the 13th day of February, 1903

AEC 08221

and recorded in Volume 141, Page 511, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 3 (5) - WASHINGTON TOWNSHIP.

Known as and being the west half of the southwest quarter of Section Twenty-five (25), Township Five (5), Range Four (4), in the District of Lands formerly subject to sale at Marietta, Ohio, containing 78.86 acres, more or less.

The aforesaid premises having been conveyed by Henry Baker and Clara Baker, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11973, dated the 13th day of February, 1903, and recorded in Volume 141, Page 485 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 4 (6) WASHINGTON TOWNSHIP.

First Tract:

The northeast quarter of the southwest quarter of Section Twenty-five (25), Township Five (5), Range Four (4) containing Thirty-nine acres and Sixty-eight and eighty-tenths perches, more or less.

Second Tract:

The southeast quarter of the northwest quarter of Section Twenty-five, Township five, Range Four, containing Thirty-nine acres and Sixty-eight and eight tenths perches, more or less.

Third Tract:

Situated in the Township of Washington, County of Belmont and State of Ohio, and being part of the northeast quarter of Section twenty-five, Township Five, Range Four; beginning for the same at a stone, the northwest corner of said quarter, and running thence south 3° 40' West 2645 feet to a stone marked "A", the southwest corner of said quarter, running thence with the south line of said quarter south 86° 30' east 1250 feet to a stone; thence north 3° east 2643 feet to a stone planted in a wild cherry tree on the section line, between Sections 25 and 26 on the south line of the cemetery; running thence with said section line north 87° 15' West 1199.5 feet to the place of beginning, containing seventy-three (73) acres, be the same more or less.

The aforesaid premises having been conveyed by Elizabeth Riley and Richard Riley, her husband, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12710, dated the 17th day of April, 1903, and recorded in Volume 145, page 177, of the Deed Records of Belmont County, Ohio, in which deed said grantors thereby conveyed to said grantees, their heirs and assigns, all of the No. 8 coal which they had or ought to have had in said Section 25.

PARCEL NO. 5 (1-8)-WASHINGTON TOWNSHIP.

The undivided four-fifths interest in the east half of the west half of the southwest quarter of Section thirty-three (33), Township Five (5), Range Four (4), in the Marietta District, containing forty (40) acres, more or less.

Also all that part of the east half of said southwest quarter lying on the west side of Wildcat Run, the meanderings of said Wildcat Run are the boundaries, containing in said last mentioned tract thirty (30) acres, more or less, and containing in both tracts seventy (70) acres, more or less.

The aforesaid premises having been conveyed by William S. Poulson and Lucy J. Poulson, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12565, dated the 10th day of April, 1903, and recorded in Volume 145, page 9 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 6 (10)-WASHINGTON TOWNSHIP.

Known as and being the southwest quarter of the southwest quarter of Section 14, Township 5, Range 4, in the District of Lands subject to sale at Marietta, Ohio, containing 40 acres, more or less.

Also the southeast quarter of the southeast quarter of Section 20, Township 5, Range 4, in

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ADDENDUM TO IBR, PAGE 1, ITEM 7,
PART 1, PG. 13, ITEM D(6) & PG. 14, D(7)
BENNOC, INC.

\$30.95

No. 43116

Transferred 2/15/49

★ LIMITED WARRANTY DEED ★

KNOW ALL MEN BY THESE PRESENTS, That Berkshire Farm, Inc., a corporation organized and existing under and by virtue of the laws of the State of Ohio, having its principal place of business at 1015 Williamson Building, Cleveland 14, Ohio, the Grantor, for the consideration of Ten Dollars (\$10.00) and other good and valuable consideration received to its full satisfaction of The Youghiogheny and Ohio Coal Company (sometimes known as The Youghiogheny & Ohio Coal Company), a corporation organized and existing under and by virtue of the laws of the State of Ohio, having its principal place of business at 330 Hanna Building, Cleveland 15, Ohio, the Grantee, does give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, the undivided one-half (1/2) interest heretofore acquired and owned by Peter M. Hitchcock in and to the following described property:

BLOCK 1

All the stone coal contained in the vein commonly known as the Pittsburgh Vein, and geologically known as Seam No. 8 in and underlying all of the following parcels and tracts of land situated in Washington and Wayne Townships, Belmont County, Ohio, and Sunbury Township, Monroe County Ohio, together with the appurtenant easements, options, mining rights, and other rights and privileges hereinafter described:

PARCEL NO. 1 - WASHINGTON TOWNSHIP

Known as and being the southeast quarter of the southeast quarter of Section Twenty-one (21), Township Five (5), Range Four (4) in the District of Lands formerly subject to sale at Marietta, Ohio; containing Forty (40) Acres, more or less.

Second Tract: Known as and being the southwest quarter of the southeast quarter of Section Twenty-one (21), Township Five (5), Range Four (4), in the District of Lands formerly subject to sale at Marietta, Ohio, containing Forty (40) Acres, more or less.

The aforesaid premises having been conveyed by John Perkins and Alwildah Perkins, Husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11978, dated the 13th day of February, 1903, and recorded in Volume 141, Page 500 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 2 (3) - WASHINGTON TOWNSHIP.

Known as and being a part of Section 26, Township 5, Range 4 and bounded and described as follows: Beginning at a stone planted at the quarter corner between Sections 25 and 26 (being the center of the south line of said Section 26) and running thence west with the section line 40 rods to a stone planted; thence north 40.60 rods to the Danford line; thence east with said line 40 rods to a stone planted; thence north 40.84 rods to a stone planted; thence east 80.28 rods to a stone planted; thence south 80 rods to a stone planted on section line; thence west 80.20 rods to the place of beginning; containing Fifty (50) Acres and Thirty-four (34) Perches. EXCEPTING therefrom a tract used as a graveyard and described as follows: Beginning at a stone planted on the section line 3.15 rods west from a stone planted for the southeast corner for the above described tract; thence west 20 rods; thence north 4 rods; thence east 20 rods; thence south 4 rods to the place of beginning; containing one-half (1/2) acre.

Second Tract: Being in Section 25, Township 5, Range 4; beginning for the same on the section line at a stone planted at the northeast corner of the northwest quarter of Section 25, and running thence with the section line W. 40 rods; thence south 20 rods; thence east 40 rods; thence north 20 rods to the place of beginning; containing Five (5) Acres. (Stone monument at each corner.)

Containing in both tracts 54 acres and 114 perches, more or less.

The aforesaid premises having been conveyed by Elizabeth Riley, unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11982, dated the 13th day of February, 1903

AEC 08223

and recorded in Volume 141, Page 511, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 3 (5) - WASHINGTON TOWNSHIP.

Known as and being the west half of the southwest quarter of Section Twenty-five (25), Township Five (5), Range Four (4), in the District of Lands formerly subject to sale at Marietta, Ohio, containing 78.86 acres, more or less.

The aforesaid premises having been conveyed by Henry Baker and Clara Baker, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11973, dated the 13th day of February, 1903, and recorded in Volume 141, Page 485 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 4 (6) WASHINGTON TOWNSHIP.

First Tract:

The northeast quarter of the southwest quarter of Section Twenty-five (25), Township Five (5), Range Four (4) containing Thirty-nine acres and Sixty-eight and eighty-tenths perches, more or less.

Second Tract:

The southeast quarter of the northwest quarter of Section Twenty-five, Township five, Range Four, containing Thirty-nine acres and Sixty-eight and eight tenths perches, more or less.

Third Tract:

Situated in the Township of Washington, County of Belmont and State of Ohio, and being part of the northeast quarter of Section twenty-five, Township Five, Range Four; beginning for the same at a stone, the northwest corner of said quarter, and running thence south 3° 40' West 2645 feet to a stone marked "A", the southwest corner of said quarter, running thence with the south line of said quarter south 86° 30' east 1250 feet to a stone; thence north 3° east 2643 feet to a stone planted in a wild cherry tree on the section line, between Sections 25 and 26 on the south line of the cemetery; running thence with said section line north 87° 15' West 1199.5 feet to the place of beginning, containing seventy-three (73) acres, be the same more or less.

The aforesaid premises having been conveyed by Elizabeth Riley and Richard Riley, her husband, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12710, dated the 17th day of April, 1903, and recorded in Volume 145, page 177, of the Deed Records of Belmont County, Ohio, in which deed said grantors thereby conveyed to said grantees, their heirs and assigns, all of the No. 8 coal which they had or ought to have had in said Section 25.

PARCEL NO. 5 (1-8)-WASHINGTON TOWNSHIP.

The undivided four-fifths interest in the east half of the west half of the southwest quarter of Section thirty-three (33), Township Five (5), Range Four (4), in the Marietta District, containing forty (40) acres, more or less.

Also all that part of the east half of said southwest quarter lying on the west side of Wildcat Run, the meanderings of said Wildcat Run are the boundaries, containing in said last mentioned tract thirty (30) acres, more or less, and containing in both tracts seventy (70) acres, more or less.

The aforesaid premises having been conveyed by William S. Poulson and Lucy J. Poulson, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12565, dated the 10th day of April, 1903, and recorded in Volume 145, page 9 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 6 (10)-WASHINGTON TOWNSHIP.

Known as and being the southwest quarter of the southwest quarter of Section 14, Township 5, Range 4, in the District of Lands subject to sale at Marietta, Ohio, containing 40 acres, more or less.

Also the southeast quarter of the southeast quarter of Section 20, Township 5, Range 4, in

the District of Lands subject to sale at Marietta, Ohio, containing 40 acres, more or less.

Also the southwest quarter of the southeast quarter of Section 20, Township 5, Range 4, in the District of Lands subject to sale at Marietta, Ohio, containing 40 acres, more or less.

Also the northeast quarter of the northeast quarter of Section 19, Township 5, Range 4, containing 39.95 acres, more or less.

The aforesaid premises having been conveyed by Morgan Pugh, Jr., and Hannah Pugh, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 12184, dated the 10th day of March, 1903, and recorded in Volume 143, page 64 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 7 (12)-WAYNE TOWNSHIP.

Known as and being the middle part of the southeast quarter of Section one (1) Township six (6) and Range five (5) beginning for the same at a stone in the quarter section line 38.72 rods east from the center of said section one; thence running with the quarter section line south 87 1/2° east 13.06 chains to a stake; thence south 2 1/2° West 11.50 chains to a stake in the center of County Road; thence with said road north 74 1/2° East 7.70 chains to a stake; thence south 39 1/4° East 6.15 chains to a stake in the center of the B. Z. & C. Railroad track; thence south 30 1/4° west 1 chain; thence south 37-3/4° West 1 chain; south 40 3/4° west 4 chains; south 37° west 2 chains; south 31 1/2° West 1.50 chains; south 24-1/4° West 6.50 chains to a stake in the center of the R. road; thence north 87-3/4° west 18.29 chains to the east side of orchard; thence north 63-1/4° west 5.94 chains to the west side of orchard; thence north 58 3/4° west 4.38 chains to a locust tree, 6 inches in diameter; thence north 51° east 1.54 chains to center of the County Road; thence with said road north 32° east 1.80 chains; thence north 38° east 5.59 chains; north 44° east 2.27 chains; north 55 1/2° east 1.79 chains; north 38 1/2° east 4.50 chains to a stake; witness R. oak 15 chains bearing north 4° east distance 90 1/2 links; thence north 2 1/2° east 9.22 chains to the place of beginning, containing sixty (60) acres more or less.

The aforesaid premises having been conveyed by Alonzo C. Phillips and Maggie A. Phillips, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12278, dated the 20th day of March, 1903, and recorded in Volume 143, page 92 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 8 (13) -WAYNE TOWNSHIP.

Known as and being the north end of the east half of the southeast quarter of Section Nine (9) Township Six (6) Range Five (5) beginning at the original quarter corner on the east boundary of said section, station 1; thence south seven minutes east 45.84 poles to station 2 in Long Run; thence up said Run with its meanderings south 74 3/4° west 12.7 poles to station 3; thence south 79 1/2° west 33.3 poles to station 4; thence south 87 1/4° west 18 poles to station 5; thence south 75° West 17.8 poles to station 6 where the west boundary of said half quarter crosses said run; thence with said west boundary of said half quarter north eighteen minutes east 62 poles to station 7, the northwest corner of said half quarter; thence with the north boundary of said half quarter south 89 1/4° east 80.2 poles to the place of beginning, containing Twenty-seven Acres and Twenty-nine and one-half poles, more or less. Being the same tract of land devised by John Creighton in his last will and testament to Sarah Creighton, Jane Creighton and Elizabeth Creighton, dated January 21st, 1873.

The aforesaid premises having been conveyed by Sarah Creighton and Elizabeth Creighton, both unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12232, dated the 14th day of March, 1903, and recorded in Volume 143, page 77, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 9 (16) WAYNE TOWNSHIP.

Known as and being the east half of the north-east quarter of Section Nine (9), Township Six

(6), Range Five (5), in the District of Lands subject to sale at Marietta, Ohio, containing Eighty (80) acres, more or less.

The aforesaid premises having been conveyed by Lee Evans and M. A. Evans, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12183, dated the 6th day of March, 1903, and recorded in Volume 143, page 63 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 10 (17) WAYNE TOWNSHIP.

Known as and being a part of the east half of the south-west quarter of Section 2, Township 6, Range 5, described as follows: Beginning for the same at the north-west corner of said half quarter; thence east 40 rods and 6 links to Pina Fork of Captina Creek; thence up said Pina Fork south 40 1/4° West 18 rods and 11 links; thence south 71° west 32 rods to the western boundary of said half quarter; thence north 28 1/4 rods to the place of beginning containing 4 1/4 acres, more or less.

The aforesaid premises having been conveyed by William Smith and Emily Smith, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12279, dated the 7th day of March, 1903, and recorded in Volume 143, page 93 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 11 (18) WAYNE TOWNSHIP.

Known as being the northeast quarter of Section One (1) Township Six (6), Range Five (5). EXCEPTING THEREFROM the following described tracts:

First Tract:

Being a northeast part of the northeast quarter of said section, bounded as follows: Commencing at the northeast corner of said Section 1; thence south on the township line 46.76 rods to a stone; thence north 73° west 15.36 rods; thence north 66° west 24.84 rods to a stone in a bottom; thence north 9° east 32.62 rods to a Black Walnut on section line; thence east 32.76 rods to the place of beginning, containing 8.73 acres, be the same more or less.

Second Tract:

Being a part of the northeast quarter of said Section, bounded as follows: Commencing at the southeast corner of said quarter section; thence west 80 rods to a stone; thence north 20 rods to a stone; thence east 80 rods to a B. Walnut on the township line; thence south 20 rods to the place of beginning, containing 10 acres, more or less.

Third Tract:

Being a part of the northeast quarter of said section; beginning for the same at the south-west corner of said quarter section and running thence north 20 rods to a stone; thence east 80 rods to a stone; thence south 20 rods to a stone; thence west 80 rods to the place of beginning, containing 10 acres, more or less.

Leaving in said northeast quarter of Section 1, after said exceptions, 130.60 acres, more or less.

The aforesaid premises having been conveyed by Mary J. Lucas, unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11977, dated the 13th day of February, 1903, and recorded in Volume 141, Page 497, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 12 (19) WASHINGTON TOWNSHIP.

Known as and being the north-west quarter of the south-east quarter of Section Twenty (20) Township Five (5), Range Four (4), in the District of Lands formerly sold at Marietta, Ohio, containing Forty (40) acres, more or less.

The aforesaid premises having been conveyed by James H. Vanduyne and Minnie J. Vanduyne, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11983, dated the 13th day of February, 1903 and recorded in Volume 141, Page 514, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 13 (20) WAYNE TOWNSHIP.

Known as and being a part of the south-west quarter of the north-east quarter of Section One (1) Township Six (6), Range Five (5), beginning for the same at the south-west corner of said quarter section and running thence north 20 rods to a stone; thence east 80 rods to a stone; thence south 20 rods to a stone; thence west 80 rods to the place of beginning, containing Ten (10) Acres, more or less.

The aforesaid premises having been conveyed by Isaiah Phillips and Lenora Phillips, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11981, dated the 13th day of January, 1903, and recorded in Volume 141, Page 508 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 14 (21) WASHINGTON TOWNSHIP.

Known as and being the south-east quarter of the north-east quarter of Section Nineteen (19), Township Five Range Four (4), in the District of lands formerly subject to sale at Marietta Ohio, containing Forty (40) Acres; also Twelve Acres off the north side of the southwest quarter of the north-east quarter of Section Nineteen (19), Township Five (5), Range Four (4) in the District of lands formerly subject to sale at Marietta, Ohio. The premises above conveyed are same which were conveyed to said Martha J. Carpenter by her husband, Wesley B. Carpenter, by deed dated July 1st, 1897, and recorded in Volume 140 at page 557 of deed records of said County.

The aforesaid premises having been conveyed by Martha J. Carpenter and Wesley B. Carpenter her husband, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11974, dated the 13th day of February, 1903, and recorded Volume 141, page 488 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 15 (22) WAYNE TOWNSHIP

Known as and being the south-east part of the south-east quarter of the southeast quarter of Section One (1), Township Six (6), Range Five (5), beginning for the same at the south-east corner of said section running thence north 87 1/2° west 18.22 chains to the center of B. Z. & C. Railroad track; thence with the center of said railroad track north 23° east 3.81 chains; north 18 1/4° east 5.21 chains; north 24-1/4° east 7.57 chains to a stake; thence south 66 1/2° East 13.53 chains to a stone in the section line; thence with said line south 2 1/2° west 10 chains to the place of beginning, containing Twenty (20) Acres, more or less.

The aforesaid premises having been conveyed by Nancy E. Korner, unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11976, dated the 13th day of February, 1903 and recorded in Volume 141, page 494, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 16 (23) WASHINGTON TOWNSHIP.

First Tract:

Known as and being the north-west quarter of the north-east quarter of Section Nineteen (19) in Township Five (5), Range Four (4), in the District of lands subject to sale at Marietta, Ohio, containing thirty-nine and ninety-five hundredths acres (39.95).

Second Tract.

Situated in the Township of Washington, County of Belmont and State of Ohio, and known as and being the north part of the east half of the north-west quarter of Section Nineteen (19), Township Five (5), Range Four (4), commencing for the same at the north-west corner of said half quarter, running south ninety-three and one-third rods to a stake or stone; thence east eighty rods to a stone; thence north ninety-three and one-third rods to a stone; thence west eighty rods to the place of beginning, containing Forty-six and two-thirds acres, (46.66).

Third Tract:

Situated in the Township of Washington, County of Belmont and State of Ohio, and known as and being part of the South-east quarter of the north-west quarter of Section Nineteen (19)

Township Five (5), Range Four (4) and bounded as follows, to-wit: on the north by the forty-six and two-thirds acre tract of said John S. Davis last above described, on the south by the lands owned by E. E. Workman, 1903 on the east by the quarter section line between the north-west quarter and the north-east quarter of said section Nineteen and on the west by the eighty acre tract of land now owned, 1903, by T. J. Pugh, containing Twenty Acres, more or less.

The aforesaid premises having been conveyed by John S. Davis and Sarah A. Davis, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11975, dated the 13th day of February, 1903, and recorded in Volume 141, Page 491, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 17 (24) WASHINGTON TOWNSHIP.

First Tract: The north-west quarter of the south-east quarter of Section Twenty-five (25), Township Five (5), Range Four (4).

Second Tract: Known as being the south-east quarter of the south-west quarter of Section Twenty-five (25), Township Five (5), Range Four (4).

Third Tract:

Known as and being the south-west quarter of the south-east quarter of Section Twenty-five (25), Township Five (5), Range Four (4).

The three tracts above described contain One Hundred and Eighteen and 29/100 acres, be the same more or less.

The aforesaid premises having been conveyed by John W. Phillips, unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11886, dated the 16th day of January, 1903, and recorded in Volume 141, page 415, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 18 (25) WASHINGTON TOWNSHIP.

First Tract:

Being the north-west quarter of the north-west quarter of Section Twenty-five (25) Township Five (5), Range Four (4), EXCEPTING therefrom the following described part thereof, to-wit: beginning for the same at the north west corner of said Section 25, Township 5, Range 4, thence along the west boundary line of said section south 10 poles; thence east 10 poles; thence north 10 poles to the north boundary line of said section; thence along said line 10 rods to the place of beginning, containing sixty-two hundredths of an acre; EXCEPTING also therefrom One Acre lying south of the last excepted lot of land beginning for the same on the south bank of the right hand fork of Crab-apple Creek on the west boundary line of said Section 25; thence south 30 far with said line as will include the one acre by running a line from said section line due east to the left hand fork of said Crabapple; thence down said left hand fork to its junction with the right hand fork; thence up said right hand fork to the place of beginning, containing, after said exceptions, 37.81 acres.

Second Tract:

Situated in the Township of Washington, County of Belmont and State of Ohio, and known as and being the north-east quarter of the north-west quarter of Section Twenty-five (25), Township Five (5) Range Four (4) EXCEPTING therefrom five acres out of the northeast corner, forty (40) rods east and west and twenty (20) rods north and south, containing, after said exception, 34.43 Acres.

The aforesaid premises having been conveyed by Ruth J. Phillips, Sarah Matilda Phillips and Lydda A. Mallory, all unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11980, dated the 13th day of February 1903, and recorded in Volume 141, Page 505, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 19 (26) WASHINGTON TOWNSHIP.

First Tract:

Known as and being the north-east quarter of the south-east quarter of Section Nineteen (19)

Township Five (5), Range Four (4), in the District of lands formerly subject to sale at Marietta, Ohio, containing Thirty-nine Acres, EXCEPTING therefrom five (5) acres off the south part of said described premises, which said five acres were conveyed by James Brown and Emeline, his wife, to William Starkey by deed dated April 2nd, 1883, and recorded in Volume 82, at page 390, Record of deeds of Belmont County, Ohio.

Second Tract:

Known as and being the north-west quarter of the south-east quarter of Section Nineteen, Township Five, Range Four, containing Forty Acres, EXCEPTING therefrom five acres off the south side of said premises, which said five acres tract of land was conveyed by Richard Riley and Elizabeth, his wife, to Anthony Pugh by deed dated April 12th, 1882, and recorded in Volume 76 at page 206, Record of Deeds of Belmont County, Ohio.

Third Tract:

Known as and being the south-west quarter of the north-east quarter of Section Nineteen, Township Five, Range Four, in the District of lands formerly subject to sale at Marietta, Ohio, containing Forty Acres, EXCEPTING therefrom twelve acres off the north part of said described premises, which said twelve acre tract of land was conveyed by James Brown and Emeline, his wife, to Lawson Davis by deed dated April 3rd, 1883, and recorded in Volume 80 at page 414, Record of Deeds of Belmont County, Ohio.

The aforesaid premises having been conveyed by James Brown and Emeline Brown, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11819, dated the 10th day of January, 1903, and recorded in Volume 141, Page 357 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 20 (27) WASHINGTON TOWNSHIP.

Known as and being the east half of the south-west quarter of Section Nineteen (19) Township Five (5) Range Four (4) in the District of lands heretofore subject to sale at Marietta, Ohio, containing Eighty Acres.

Second Tract:

Being a part of the east half of the north-west quarter of Section Nineteen (19), Township Five (5), Range Four (4) commencing for the same at the south-west corner of said half quarter; thence north 26 rods and 23 links to a white oak 12 inches in diameter; thence east 53 rods and 2 links to the middle of the run; thence north 62° east 30 rods; thence to the east boundary of said quarter; thence south 35 rods and 10 links to the south-east corner of said quarter; thence west 81 rods to the place of beginning, containing Fourteen Acres, be the same more or less.

The aforesaid premises having been conveyed by Edward Everett Workman and Mary O. Workman, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11779, dated the 8th day of January, 1903, and recorded in Volume 141, Page 323 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 21 (28) WAYNE TOWNSHIP.

First Tract:

Situate in the Township of Wayne, County of Belmont and State of Ohio; commencing at the northeast corner of the northeast quarter of section No. 2, Township No. 6, of Range 5; thence running west 160 rods; thence south 40 rods; thence east 160 rods; thence north 40 rods to the place of beginning, being the north part of the north-east quarter of said Section, containing 40 acres, more or less.

Second Tract:

Situate in the Township of Wayne, County of Belmont and State of Ohio: the South-east quarter of the southeast quarter of Section No. 3, in Township No. 6, of Range No. 5, bounded as follows: Commencing at the southeast corner of said Section No. 3 of said Township; thence running north

80 rods; thence west 80 rods; thence south 80 rods; thence east 80 rods to the place of beginning, containing 40 acres, be the same more or less.

Third Tract:

Situated in the Township of Wayne, County of Belmont and State of Ohio: it being 20 rods and 4 feet wide, taken off the north side of the below described land. The above contains 10 acres (the amount conveyed in this deed); the land from which the above 10 acres is taken is described as follows: A part of the southwest quarter of the southeast quarter of Section 3, Township 6, Range 5, and further described as follows: Commencing for the same at the southwest corner of the south-east quarter of Section 3, thence east with the section line 80 rods more or less; thence north 80 rods more or less; thence west to the Piney Fork of Captina Creek; thence in a southern direction, with the meanderings of said Piney Fork, in the center thereof, to the place of beginning, containing 33 acres, more or less.

Fourth Tract:

Situate in the Township of Wayne, County of Belmont and State of Ohio, and known as the west one-half of the southwest quarter of Section No. 3, Township No. 6, of Range No. 5, in the Marietta Land District, containing 79.70 acres. EXCEPTING a small tract cut off by a ravine in the southwest corner of said tract, sold by Jacob Moore to Richard Wheeler, supposed to contain 1 acre, which exception is bounded and described as follows: Beginning for the same at the southwest corner of the aforesaid quarter section; running thence east with the south boundary of said quarter section to the first run; thence up said run, with the meanderings of the same, and bounding thereon, to the west boundary line of said quarter section; thence south with said western boundary to the place of beginning.

Fifth Tract:

Situate in Wayne Township, Belmont County, Ohio. Being the southwest quarter of the northeast quarter of Section 3, Township 6, of Range 5.

Sixth Tract:

Situated in the Township of Wayne, County of Belmont and State of Ohio, being a part of the northeast quarter of the southwest quarter of said Section, and further described as follows: Commencing for the same at the center of said Section 3, thence west 80 rods; thence south to Long Run; thence in an easterly direction, with the meanderings and in the center thereof, to the line dividing said Section 3; thence north with said line to the place of beginning, containing 36 acres.

Seventh Tract:

Situated in the Township of Wayne, County of Belmont and State of Ohio: Known as and being the north half of the southeast quarter of Section 3, Township 6, Range 5.

EXCEPTING THEREFROM the following described tract of land which was conveyed by said Michael Moore and wife to Adam T. Moore by deed dated April 20, 1877, and recorded in Volume 68, page 492 of Belmont County Deed Records: It being a part of the southeast quarter of Section 3, Township 6, of Range 5, and commencing for the same at the northeast corner of the southeast quarter of the southeast quarter of said Section 3; thence west along said quarter section line 20 rods and 8 links; thence north 40 rods; thence east 20 rods and 8 links to the township line; thence south with said township line 40 rods to the place of beginning, containing 5 acres.

ALSO EXCEPTING THEREFROM the following described tract of land which was conveyed by said Michael E. Moore and wife to Jacob Stukeby by deed dated April 20, 1877, and recorded in Volume 68, page 398 of Belmont County Deed Records; It being a part of the southeast quarter of Section 3, Township 6, of Range 5, and further described as follows: Commencing for the same at the northeast corner of the southeast quarter of said Section 3, and on the township line; thence south with said township line 40 rods; thence west 40 rods; thence north 40 rods; thence east 40

rods to the place of beginning, containing 10 acres.

The aforesaid premises having been conveyed by Michael E. Moore and Annis Moore, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11729, dated the 31st day of December, 1902, and recorded in Volume 141, Page 276 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 22 (29) - WAYNE TOWNSHIP.

Known as and being the northwest quarter of the southeast quarter of Section nine (9), Township six (6), Range Five (5), of the lands subject to sale at Marietta, Ohio, containing thirty-nine and sixty-eight hundredths (39.68) acres.

The premises above described are the same which were conveyed by Leander Davis and wife to Iona Wheeler, by deed dated December 18, 1899, and recorded in Volume 122, at page 404, Record of Deeds of said county.

The aforesaid premises having been conveyed by Iona Wheeler and Grant Wheeler, her husband, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11723, dated the 31st day of December, 1902, and recorded in Volume 141, Page 257, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 23 (30) - WAYNE TOWNSHIP.

First Tract: Being the northeast quarter of the southwest quarter of Section Nine (9), Township Six (6), of Range Five (5), containing thirty-nine and sixty-eight hundredths (39.68) acres.

Second Tract: Being a part of the southeast quarter of the southwest quarter of said Section Nine (9), Township Six (6), of Range Five (5), and described as follows: Beginning at the northwest corner of said southeast quarter of said southwest quarter; thence south with the west boundary of said quarter of quarter to Long Run, a branch of Piney Creek; thence down said run with the meanderings thereof on the south side to a point opposite the mouth of the run that empties into said Long Run on the north side of the same, and being the same run that heads on what is known as the Maring Loper tract; thence up said run to the north boundary of said southeast quarter of quarter; thence west with the north boundary line to the place of beginning, containing Fifteen (15) acres, more or less.

Third Tract: Being a part of the southeast quarter of the southwest quarter of said Section Nine (9), Township Six (6), of Range Five (5), and described as follows: Beginning at the corner of what is known as the Samuel Simeral tract of land and the lands of Harvey Danford; thence west with said Simeral line to a small run below Jonathan Wheelers; thence down said run to where it empties into Long Run; thence down said Long Run in an easterly direction to the lands of Harvey Danford; thence north to the place of beginning, containing three (3) acres.

The aforesaid premises having been conveyed by Grant Wheeler and Iona Wheeler, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11725, dated the 31st day of December, 1902, and recorded in Volume 141, Page 264 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 24 (31) - WASHINGTON AND WAYNE TOWNSHIPS.

Situated in Washington Township, Belmont County, Ohio; being a northwest part of the west half of the northwest quarter of Section 33, Township 5, of Range 4, bounded as follows: Commencing at the northwest corner of said section; thence north $89\frac{1}{2}^{\circ}$ east 49.20 rods to the run; thence up said run S. 28° west 13.4 rods; thence south 47° west 10 rods; thence south 36 rods; thence south 2° west 23.16 rods; thence south 20° west 10.64 rods; thence north $18\frac{1}{2}^{\circ}$ east 2.08 rods to a stone in the road; thence southwest in said road to the lands formerly owned by Jacob Stukey, to the northeast corner of Meeting House lot; thence west 2 rods; thence north along section line to the place of beginning, containing 21.59 acres, be the same more or less.

Second Tract: A part of the east half of the northeast quarter of Section No. 3, in Township No. 6, of Range No. 5, Wayne Township, Belmont County, Ohio; beginning for the same at the

southeast corner of said half quarter; thence with the east boundary of said half quarter north 32 poles to a stone marked "D"; thence in a southwest direction 20 poles to a stone marked "E"; thence south 24 poles to a stone at the south boundary of said half quarter, marked "F"; thence with south boundary east 20 poles to the place of beginning, containing 3 acres and 2 roods.

Third Tract: Situated in Washington Township, Belmont County, Ohio; being a part of the Northwest half of the northwest quarter of Section No. 33, in Township No. 5 and Range 4; beginning for the same at the northwest corner of the Meeting House lot, on the township line; thence east with said Meeting House lot north boundary line 2 rods; thence north parallel with the township line 25 1/2 rods; thence west 2 rods to a stone marked "D" on the said township line, containing 51 rods, be the same more or less but subject to all legal highways.

Fourth Tract: Situated in Washington Township, Belmont County, Ohio, and known as the Meeting House Lot, the same as being formerly occupied by the Methodist Episcopal Church, and further described as follows: It being a part of the northwest half of the northwest quarter of Section 33, of Township 5, of Range 4; beginning for the same at the south corner of lands of Jacob Stucky, on the Township line; thence east 2 rods to a White Oak tree; thence west 6-3/4 rods to a stone on the township line; thence north with said township line 7 rods to the place of beginning containing 28 rods.

Fifth Tract: Situated in Wayne Township, Belmont County, Ohio; It being a part of the southeast quarter of Section 3, Township 6, Range 5, and further described as follows: Beginning for the same at the northeast corner of the southeast quarter of said Section 3, and on the Township line; thence south with said township line 40 rods; thence west 40 rods; thence north 40 rods; thence east 40 rods to the place of beginning, containing 10 acres.

Sixth Tract: Situate in Washington Township, Belmont County and State of Ohio, and known as follows: Being part of the west half of the northwest quarter of Section 33, Township 5 and Range 4; beginning for the same at a stone on the township line, it being the southwest corner of Meeting House lot; thence east 6 3/4 rods to the public road; thence south with the public road 47 rods to the line between lands of Ephriam Williams and Adam Moore; thence west with said line 6 rods to township line; thence north with said township line 43 rods to the place of beginning; containing 3 1/2 acres, more or less.

The aforesaid premises having been conveyed by Archimedes Mayhugh and Louisa M. Mayhugh, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11731, dated the 31st day of December, 1902, and recorded in Volume 141, Page 284 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 25 (32) - WASHINGTON TOWNSHIP AND WAYNE TOWNSHIP.

First Tract: Known as and being a part of the northeast quarter of the southwest quarter of Section 31, Township 5, Range 4, beginning for the same at the northeast corner of the northwest quarter of the southwest quarter of Section 31; running thence south 80 rods; thence east 19 rods; thence north 80 rods; thence west 19 rods to the place of beginning, containing Ten (10) acres.

Second Tract: Known as and being the northwest quarter of the southwest quarter of Section 31, Township 5, Range 4, containing Thirty-nine and 11 1/100 (39.11) Acres.

Third Tract: Known as and being that part of the west half of the northwest quarter of Section 31, Township 5, Range 4, lying southeast of The Bellaire and South Western Railroad and in the district of land formerly subject to sale at Marietta, Ohio, containing Twenty-four (24) Acres, more or less.

Fourth Tract: Being a part of the southeast quarter of Section one (1), Township six (6), Range five (5), beginning for the same at a stone in the section line thirty rods from the southwest corner of said Section one (1), running thence north 66 1/2° West 13.53 chains to the center of

the B.Z. and C. R.R. track; thence with the center of said tract, north $24\frac{1}{4}^{\circ}$ east 3.25 chains; thence north $31\frac{1}{2}^{\circ}$ east 1.80 chains; thence north 37° east 2 chains; thence north $40\frac{3}{4}^{\circ}$ east 4 chains; thence north $37\frac{3}{4}^{\circ}$ east 1 chain; thence north $30\frac{1}{4}^{\circ}$ east 1 chain; thence north $24\frac{1}{4}^{\circ}$ east 4 chains; thence north $28\frac{3}{4}^{\circ}$ east 1.50 chains; thence north $48\frac{3}{4}^{\circ}$ east 1 chain; thence north $47\frac{1}{2}^{\circ}$ east fifty links; thence north fifty-two degrees east 3.80 chains to a stake in the section line, in the center of the railroad track; thence with said line south $2\frac{1}{2}^{\circ}$ west 25.04 chains to the place of beginning, containing Sixteen (16) Acres, more or less.

The aforesaid premises having been conveyed by Emma D. Baker and M. L. Baker, her husband, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11722, dated the 31st day of December, 1902, and recorded in Volume 141, Page 254, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 26 (33) - WASHINGTON AND WAYNE TOWNSHIPS.

First Tract: Situated in the Township of Washington, County of Belmont and State of Ohio, and known as and being a part of the east half of the southwest quarter of Section 33, Township 5, Range 4; beginning for the same at the northeast corner of the said southwest quarter of said section; thence west to the middle of said quarter; thence south to Wildcat Run; thence with the meanderings of the said run to the intersection of the line dividing said section; thence north with said line to the place of beginning, containing 50 acres.

Second Tract: Situated in the Township of Washington, County of Belmont and State of Ohio, and known as the south part of the west half of the northwest quarter of Section 33, Township 5 of Range 4, and lying south of the road, bounded as follows: Beginning at a stone in the road, 6.52 rods east from the southwest corner of said half quarter; thence east 75.40 rods to the southeast corner of said half quarter; thence north 73.72 rods to the road; thence up said road north $88\frac{1}{2}^{\circ}$ west 4.68 rods; thence north 71° west 14.32 rods; thence south 84° west 1.84 rods; thence south 70° west 57.40 rods; thence south 25° west 6.20 rods; thence south $1\frac{1}{2}^{\circ}$ east 6.84 rods; thence south 34° east 17.44 rods; thence south $9\frac{1}{2}^{\circ}$ east 9.12 rods; thence south $23\frac{1}{2}^{\circ}$ west 10.84 rods; thence south 28° west 9 rods to the place of beginning, containing 31.84 acres.

Third Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio and known as follows: It being a part of the southeast quarter of Section 3, Township 6, Range 5; and commencing for the same at the northeast corner of the southeast quarter of the southeast quarter of said section 3; thence west along said quarter section line 20 rods and 8 links; thence north 40 rods; thence east 20 rods and 8 links to the township line; thence south with said township line 40 rods to the place of beginning, containing 5 acres.

Fourth Tract: Situated in the Township of Washington, County of Belmont and State of Ohio, to-wit: The west half of the west half of the southwest quarter of section 33, in Township 5, of Range 4, containing 40 acres, more or less.

Fifth Tract: Situated in the Township of Washington, County of Belmont, and State of Ohio, and known as Jacob Moore's tract, and further described as follows: Known as and being the northwest quarter of the northwest quarter of Section 32, Township 5, Range 4, of the land formerly subject to sale at Marietta, Ohio, and containing 40 acres be the same more or less.

EXCEPTING THEREFROM 25 acres off the south part thereof, sold and conveyed by Adam T. Moore and wife to Hiram Mantle, by deed dated April 4, 1891, recorded in volume 100, page 450, and bounded and described as follows: Commencing at the southwest corner of the said northwest quarter of the northwest quarter; thence north 50 rods; thence east to the north and south line in the middle of said quarter section; thence south 50 rods along said line; thence west to the place of beginning, containing 25 acres.

The aforesaid premises having been conveyed by Adam T. Moore and Lide E. Moore, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11727, dated the 31st

day of December, 1902, and recorded in volume 141, page 269, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 27 (34) WAYNE TOWNSHIP

First Tract: Known as and being a part of the southwest quarter of section four, township six, range five, beginning for the same at the southeast corner of said quarter section; thence running west 160 poles to the southwest corner of said quarter section; thence north 54 poles to Captina Creek; thence north 86 1/4° east 160.6 poles; thence south 67 poles to the place of beginning, containing sixty and one half (60 1/2) acres, more or less.

Second Tract: Situated in the township of Wayne, County of Belmont and State of Ohio, and being the northwest quarter of section three, Township six and Range five, containing one hundred and sixty (160) acres, more or less.

Third Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio, and being a part of the southeast and southwest quarters of Section three, Township six, Range five, commencing at the southeast corner of lands formerly owned by Eli Garretson, now owned by M.E. Moore; thence east to Piney Run; thence down Piney Run with its meanderings to the mouth of Long Run; thence up said Long Run to the line of M.E. Moore; thence with said line to the place of beginning, containing fifty one (51) acres, more or less.

Fourth Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio and known as and being the northeast quarter of Section eight, Township six, Range five, containing one hundred and fifty seven and one half (157 1/2) acres, more or less.

Fifth Tract: Situate in the Township of Wayne, County of Belmont and State of Ohio, and known as and being the southwest quarter of the southeast quarter of Section nine, township six, range five, also a part of the southeast quarter of the southwest quarter of section nine, township six, Range five: beginning for the part in said southeast quarter of said southwest quarter of section nine at the southeast corner of said quarter section; running thence west with the south boundary of the same to the southwest corner of said southeast quarter; thence north to the Long Run of Piney; thence down said run with the meanderings of the same to the east boundary of said quarter section; thence south with said east boundary to the place of beginning; said fifth tract contains in all sixty and one-half (60 1/2) acres, more or less.

Sixth Tract: Situate in the Township of Wayne, County of Belmont and State of Ohio, and being a part of the southwest quarter of the northwest quarter of section two, township six, range five, described as follows: Beginning for the same at the southwest corner of said northwest quarter at a stone marked letter "J"; thence running east 45 rods to the run; thence up the run in a northwest direction 45 rods to the north and south line of the lands formerly owned by James Stewart, now owned by Harvey Danford; thence south 35 rods to the place of beginning, containing four and one-half (4 1/2) acres, more or less.

Seventh Tract: Being the north 120 acres of the northwest quarter of Section 8, Township 6, range 5, Wayne Township, Belmont County, Ohio.

The aforesaid premises having been conveyed by Harvey Danford and Jane Danford, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11724, dated the 30th day of December, 1902, and recorded in volume 141, page 260 of the Deed Records of Belmont County, Ohio.

PARCEL NO 28 (35) WASHINGTON TOWNSHIP AND WAYNE TOWNSHIP.

First Tract: Situated in the township of Washington, County of Belmont and State of Ohio, and bounded and described as follows: Known as and being the east half of the northeast quarter of the southeast quarter of Section thirty two (32) Township five (5) Range four (4) containing twenty acres more or less.

Second Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio, and

known as the northeast part of the southeast quarter of section one (1) township six (6) Range five (5) beginning for the same at the northeast corner of said quarter section; thence south $2\frac{1}{2}^{\circ}$ west 5.21 chains to the center of the B.Z. and C. Railroad track; thence with the center of said track south 52° west 3.81 chains; thence south $47\frac{1}{2}^{\circ}$ west fifty links, south $48\frac{3}{4}^{\circ}$ west one chain; south $28\frac{3}{4}^{\circ}$ west 1.50 chains, south $24\frac{1}{4}^{\circ}$ west four chains to a stake; thence north $39\frac{1}{4}^{\circ}$ west 6.05 chains to a stake in the county road; thence with said road north $56\frac{1}{4}^{\circ}$ east 6.10 chains to a stake; thence north $2\frac{1}{2}^{\circ}$ east 5.50 chains to a stake in the quarter section line; thence south $87\frac{1}{2}^{\circ}$ east 5.25 chains to the place of beginning, containing six (6) acres, be the same more or less.

Third Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio and known as and being part of the southeast quarter of the northeast quarter of Section one, township 6, Range five and being in the southeast corner of said quarter of quarter section, and bounded and described as follows: Commencing at the southeast corner of said quarter section; thence west 32 rods; thence north 20 rods; thence east 32 rods to a B walnut tree on the township line; thence south 20 rods to the place of beginning, containing four acres.

The aforesaid premises having been conveyed by Thomas Wright and Elizabeth A. Wright, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11730, dated the 31st day of December, 1902, and recorded in volume 141, page 280 of the Deed Records of Belmont County, Ohio.

PARCEL NO.29 (36) WASHINGTON TOWNSHIP

Known as and being the west half of the northeast quarter of the southeast quarter of Section thirty two (32) Township five (5) and Range four (4) containing twenty (20) acres, more or less.

The aforesaid premises having been conveyed by Israel Coon and Nancy A. Coon, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11726, dated the 31st day of December, 1902, and recorded in volume 141, page 267, of the Deed Records of Belmont County, Ohio.

PARCEL NO.30 (37) WASHINGTON TOWNSHIP

Known as and being the northwest quarter of the southeast quarter of Section thirty two (32) Township five (5) Range four (4) in Belmont County, Ohio, containing forty (40) acres, more or less.

Said premises were conveyed to said Anthony Coon by John Jeffers, as executor of the will of Matthew Stewart, deceased, by deed dated January 22nd, 1891, and recorded in volume 99, page 528, Records of Deeds of said County.

The aforesaid premises having been conveyed by Anthony Coon and Hannah Jane Coon husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11728, dated the 31st day of December, 1902, and recorded in volume 141, page 273, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 31 (38) WASHINGTON TOWNSHIP

First Tract: Known as and being the east half of the northwest quarter of Section thirty three, township five, range four, containing seventy nine acres and thirty-eight one hundredths of an acre, more or less.

Second Tract: Known as and being the west half of the north-east quarter of Section thirty three, township five, range four, in said Washington Township, Belmont County, Ohio, containing seventy nine and thirty eight hundredths acres, more or less.

EXCEPTING from said west half of said northeast quarter of section thirty three, township five, range four the following described part thereof, to-wit: Beginning for the same at a stone on the line between the west half and the east half of said north-east quarter; thence south 55°

west 16.56 rods; north of the Meeting House and south of the road, to a stone; thence south $8\frac{1}{2}^{\circ}$ east 26 rods to a stone; thence east 10 rods to a stone on the line dividing the west half from the east half of said northeast quarter; thence north 35 rods to a stone the place of beginning, containing two and thirty hundredths acres, including the old site and cemetery; said exception was conveyed by W.S. Mechem and wife to The Belmont Ridge Christian Church by deed recorded in volume 105 at page 483 of Record of Deeds of said county.

Third Tract: Being a north part of the northwest quarter of the southeast quarter of Section thirty three, township five, range four and being north of the road, beginning for the same at the northwest corner of said southeast quarter; being the center of said section thirty three; thence east 80 rods to the northeast corner of the northwest quarter of the southeast quarter; thence south $1\frac{1}{2}^{\circ}$ E. 10 $1\frac{1}{2}$ rods to the middle of the road; thence north $81\frac{1}{2}^{\circ}$ west 42 rods; thence south $87\frac{1}{2}^{\circ}$ west 4 rods; thence north 89° west 11.24 rods; thence south 80° west 19.52 rods; thence north $63\frac{1}{2}^{\circ}$ west 3.56 rods; thence north 6 rods to the place of beginning, containing three and one fourth acres, more or less.

The aforesaid premises having been conveyed by W.S. Mechem and Elvira R. Mechem, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11536, dated the 1st day of December, 1902, and recorded in volume 141, page 129 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 32 (1-39) WASHINGTON TOWNSHIP.

Known as and being the northeast quarter of the southwest quarter of Section thirty two, township five, range four in the District of lands sold at Marietta, Ohio, containing thirty-nine and eighty nine hundredths acres. The premises aforesaid were devised to said Logan M. Perkins by the will of Elias Perkins, deceased, recorded in volume 18 at page 363, Records of Wills, Belmont County Ohio.

The aforesaid premises having been conveyed by Catherine Perkins (widow of Elias Perkins, deceased) Logan M. Perkins (devisee under the will of Elias Perkins, deceased) to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11459, dated the 21st day of November, 1902, and recorded in volume 141, page 73, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 33 (40) WASHINGTON TOWNSHIP

Known as and being the southwest quarter of the northwest quarter of section thirty two township five, range four in the District of lands sold at Marietta, Ohio, containing thirty nine and forty nine hundredths acres more or less.

The real estate aforesaid was devised to said Earl Perkins by the will of Elias Perkins, deceased, which will is recorded in volume 18, page 363, Record of Wills, Belmont County, Ohio.

The aforesaid premises were conveyed by Earl Perkins (devisee under the will of Elias Perkins, deceased) and Catherine Perkins (widow of said Elias Perkins) to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11463, dated the 21st day of November, 1902, and recorded in volume 141, page 84 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 34 (41) WASHINGTON TOWNSHIP

First Tract: Known as and being the northeast quarter of the northwest quarter of section twenty six, Township five, Range four, containing forty acres, more or less.

Second Tract: The southwest quarter of Section twenty seven, Township five, Range four in the district of lands formerly sold at Marietta.

EXCEPTING THEREFROM the following described real estate: Being a part of the southwest quarter of section twenty seven, township five, range four, beginning for the same at the northeast corner of said quarter; thence with the north boundary line of said quarter west 160 poles to the northwest corner of said quarter; thence south with the west boundary of said quarter 40 poles to a hickory, corner on said line; thence east about 118 poles to a plum bush corner on the

east bank of Crabapple Creek; thence in a southerly direction 42 poles to a white oak corner on the east boundary line of said quarter; thence with said line north 49 1/2 poles to the place of beginning, containing forty one acres, one rood more or less.

EXCEPTING also the following described real estate: Beginning for this exception at the southwest corner of Section No. twenty seven, township five, Range four in the district of lands subject to sale at Marietta; running thence on the south boundary of said exception east 39 poles; thence north 29 poles; thence west 39 poles to a corner on the west boundary line of said section; thence with said section line south 29 poles to the place of beginning, containing seven acres and eleven poles. Said second tract contains after said exceptions one hundred and eleven acres.

The aforesaid premises having been conveyed by Curtis Bright, unmarried, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11451, dated the 21st day of November, 1902, and recorded in volume 141, page 52 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 35 (42)- WASHINGTON TOWNSHIP

Known as and being the southeast quarter of the northwest quarter of Section Thirty-one, Township five, Range four, in the District of Lands subject to sale at Marietta, Ohio, containing thirty-nine and eleven hundredths (39.11) acres.

EXCEPTING therefrom the following described premises: Being a part of the southeast quarter of the northwest quarter of Section thirty-one, Township five, Range four, in the district of lands heretofore subject to sale at Marietta, Ohio; and beginning for the same at the northwest corner of the southeast quarter of the northwest quarter; thence east to the north and south center line of said section; thence south 12 poles; thence west to the north and south line of said quarter section; thence north 12 poles to the place of beginning, containing six (6) acres. The premises above conveyed, after said exception, contain thirty-three and eleven hundredths (33.11) acres.

The aforesaid premises having been conveyed by John Moore, unmarried, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11454, dated the 21st day of November, 1902, and recorded in Volume 141, Page 60 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 36 (43) WAYNE TOWNSHIP

Known as and being the southeast quarter of the northwest quarter of Section nine (9) Township six (6) and Range five (5).

EXCEPTING therefrom the following described real estate, to-wit: Lying in the northwest corner of said quarter of quarter section, commencing for the same at the northwest corner of said quarter of quarter section; thence south on the line of west boundary of said quarter of quarter section to the Public Road, leading from New Castle to Harvey Danford's land, in Section three (3) of said township and range; thence in a northeast direction along said road with the meanderings thereof to a stone planted at the point of intersection of said road with the Public Road, leading from Simeral's blacksmith shop to the fork of Captina Creek; thence in a northwest direction along said last mentioned road with the meanderings thereof to the north boundary of said quarter of quarter section; thence west on said north boundary line to the place of beginning, containing in said exception four and one-fourth acres.

The tract above described, after said exception, contains thirty-five and seventy-five hundredths (35.75) acres, more or less. And is the same real estate which was devised to said Samuel C. Simeral and Anna E. Simeral by the will of Alexander Simeral.

The aforesaid premises having been conveyed by Samuel C. Simeral (unmarried), and Anna E. Simeral (widow of Alexander Simeral), to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11457, dated the 7th day of November, 1902, and recorded in Volume 141, page 67 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 37 (44) WASHINGTON TOWNSHIP.

Known as and being the northeast part of the west half of the northwest quarter of Section

thirty-three, Township five of Range four, bounded as follows: Beginning at the northeast corner of aforesaid half quarter section at the section line; thence S. 86.28 rods to a stone in the public road; thence N. 56° W. 5 rods; thence N. 70° W. 16 rods; thence S. 70° W. 30.28 rods to a stone in the middle of the road; thence N. 18 1/2° W. 2.08 rods to an apple tree; thence N. 20° E. 10.64 rods; thence N. 2° E. 23.16 rods to a white oak; thence N. 36 rods down into and down a run; making the run the line; thence N. 47° E. 10 rods; thence N. 28° E. 13.04 rods to the section line; thence N. 89 1/2° E. 30.60 rods on the section line to the place of beginning, containing twenty-one and eighty-nine hundredths (21.89) acres, be the same more or less, but subject to all legal highways.

The aforesaid premises having been conveyed by Everhart Perkins and Agatha J. Perkins, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance dated the 21st day of November 1902, No. 11461, recorded in Volume 141, page 78 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 38 (45) WASHINGTON TOWNSHIP

Known as and being the southeast quarter of the northeast quarter of Section thirty-three (33), in Township Five (5), in Range four (4) and in the District of Lands formerly subject to sale at Marietta, Ohio, containing forty (40) acres. And being the same real estate which was conveyed by William Perkins and wife to said John L. Molden by deed dated October 27, 1902 and recorded in Volume 139, at page 425 of the Record of Deeds of said County.

The aforesaid premises having been conveyed by John L. Molden and Annie Molden, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11455, dated the 21st day of November, 1902, and recorded in Volume 141, page 62 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 39 (46) WASHINGTON TOWNSHIP.

First Tract:

Being the southeast quarter of the southeast quarter of Section thirty-three (33) in Township five (5) of Range four (4) and containing forty (40) acres, more or less.

Second Tract:

Being a part of the southwest quarter of Section twenty-seven (27), Township five (5), Range four (4), beginning for the same at the southwest corner of said Section 27 in the district of lands subject to sale at Marietta, Ohio; running thence on the south boundary line of said section east 39 poles to a stone; thence north 29 poles to a corner; thence west 39 poles to a corner on the west boundary line of said section; thence with said west boundary line south 29 poles to the place of beginning, containing seven (7) acres and eleven (11) poles.

The aforesaid premises having been conveyed by James J. Phillips and Laura Phillips, husband and wife, and Clark Phillips and Retta Phillips, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11462, dated the 21st day of November, 1902, and recorded in Volume 141, page 81 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 40 (47) WASHINGTON TOWNSHIP.

First Tract:

Known as and being the north half of the east half of the southeast quarter of Section thirty-three (33), Township five (5), Range (4), containing forty (40) acres.

EXCEPTING therefrom the following described real estate: Beginning for said exception at the northwest corner of the north half of the east half of the southeast quarter of said Section 33, thence south 11 rods to the highway; thence east 10 rods; thence south 8 rods; thence south 60° East 18 rods; thence north 24-3/4° east 29.06 rods to the north boundary of said quarter; thence west 38 rods to the place of beginning, containing in said exception four (4) acres.

Leaving in said tract hereby conveyed thirty-six (36) acres, more or less. And is the same

real estate which was conveyed by George W. Poulson, Executor of George W. Stout to said James J. Phillips by deed dated May 6th, 1887, and recorded in volume 90, page 126, Record of Deeds of said county.

Second Tract: Situated in the Township of Washington, County of Belmont and State of Ohio and known as and being the east part of the north-west quarter of the southeast quarter of Section Thirty three (33) Township five (5) Range four (4) and beginning for the same at the southeast corner of the northwest quarter of the southeast quarter; thence west 43 rods; thence north $1\frac{1}{2}^{\circ}$ west 75.92 rods to the middle of the road; thence down said road south $81\frac{1}{2}^{\circ}$ east $43\frac{1}{4}$ rods; thence south $1\frac{1}{2}^{\circ}$ east $65\frac{1}{2}$ rods to the place of beginning, containing twenty (20) acres, be the same more or less. And is the same real estate which was conveyed by Margaret E. Stout to James Phillips by a deed dated March 28th, 1892 and recorded in volume 103, at page 220, of Record of Deeds of said county.

The aforesaid premises having been conveyed by James J. Phillips and Laura Phillips, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11460 dated the 21st day of November, 1902, and recorded in volume 141, page 75 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 41 (48) WAYNE TOWNSHIP

First Tract: Known as and being a part of the southwest quarter of the southeast quarter of Section three (3) Township six (6) Range five (5) and commencing for the same at the southwest corner of the southeast quarter of said section 3; thence east with the section line 80 rods; thence north 80 rods; thence west to Piney Fork of Captina Creek; thence in a southern direction with the meanders of said Piney Fork, in the center thereof to the place of beginning, containing thirty three (33) acre, more or less. EXCEPTING therefrom twenty rods and four feet wide taken off on the north side of the above described premises containing ten acres, more or less, the same having been conveyed by Erastus Moore and wife to M.E. Moore by deed dated February 19th, 1875, and recorded in vol. 55, page 288, record of Deeds of Belmont County, Ohio. Said tract of land after said exception contains twenty three acres.

Second Tract: Known as and being the west half of the northeast quarter of Section two (2) Township six (6) range five (5); also the north half of the east half of the northeast quarter of section two (2) township six (6) range five (5) containing one hundred and twenty acres (120) more or less, EXCEPTING therefrom the following described part thereof, commencing for said exception at the northeast corner of the north half of the east half of the northeast quarter of Section 2, township 6, range 5, thence due west 160 rods; thence due south 40 rods; thence due east 160 rods; thence due north 40 rods to the place of beginning, containing forty acres (40) which said forty acres were conveyed by Erastus Moore and wife to William Mechem by deed dated June 5th, 1860, and recorded in volume 46 at page 31, Record of deeds of Belmont County, Ohio. Said tract, after said exception, contains eighty acres (80).

Third Tract: Known as and being the south half of the east half of the northeast quarter of Section two (2) in Township six (6) of Range five (5) in the District of lands formerly subject to sale at Marietta, Ohio, containing forty acres (40) and is the same premises which were conveyed by William Kirkbride to James M. Kirkbride and Eady Kirkbride, by deed recorded in volume 53 at page 129, record of deeds of Belmont County, Ohio; EXCEPTING therefrom a strip of land extending part of the way along the east side of the southeast quarter of the northeast quarter of section 2, township 6, range 5, commencing for said strip at the southeast corner of said quarter section; thence west 14 feet; thence north 43 rods; thence at right angles $1\frac{1}{4}$ rods to the township line between Washington and Wayne Townships; thence south 44 rods to the place of beginning, containing thirty seven rods (37).

The aforesaid premises having been conveyed by Erastus Moore and Nancy E. Moore, husband and

wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11830, dated the 15th day of January, 1903, and recorded in volume 141, page 369, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 42 (49) WAYNE TOWNSHIP

First Tract: Known as and being all that part of the east half of the southeast quarter Section 9, Township 6, Range 5, that lies on the south side on Long Run of Piney Fork of Captina Creek; said Long Run being the north boundary of the above described premises, containing 54 acres.

Second Tract: Being a part of the southwest quarter of Section 3, Township 6, Range 5, in Marietta Land District; beginning for the same at the southwest corner of the aforesaid quarter section; running thence east with the south boundary of said quarter section to the first run; thence up said run with the meanders of the same to the west boundary line of said quarter section; thence south with said west boundary to the place of beginning, containing 1 acre.

The aforesaid premises having been conveyed by Joshua Scott, unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11755, dated the 1st day of January, 1903, and recorded in volume 141, page 308, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 43 (50) WASHINGTON TOWNSHIP

Known as and being the west half of the southwest quarter of Section nineteen (19) Township five (5) and Range four (4) containing eighty (80) acres, more or less, and is the same real estate which was conveyed by A.M. Workman and wife to said Emmett L. Workman by deed dated September 12th, 1893, and recorded in volume 105 at page 524, Record of Deeds of said county.

The aforesaid premises having been conveyed by Emmett L. Workman and Annie Workman, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11452, dated the 21st day of November, 1902, and recorded in volume 141, page 55 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 44 (51) WASHINGTON TOWNSHIP

Known as and being the southwest quarter of the northwest quarter of Section 25, Township 5, Range 4, and lying and being in the district of lands heretofore subject to sale at Marietta, Ohio, containing 40 acres; be the same more or less.

The aforesaid premises having been conveyed by Joshua Phillips and Hannah Phillips, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11979 dated the 13th day of February, 1903, and recorded in volume 141, page 502, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 45 (52) WASHINGTON TOWNSHIP

First Tract: Known as a part of the George W. Stout homestead, being the west part of the northwest quarter of the southeast quarter of Section thirty-three, township five, range four, beginning for the same at the southwest corner of the northwest quarter of the southeast quarter of said section at a stone; thence north 75 rods to the middle of the road; thence down said road south 63 1/2° east 3.56 rods; thence north 80° east 19.56 rods; thence south 89° east 11.24 rods; thence north 87 1/2° east 3 rods; thence south 1/2° east 75.92 rods; thence west 37 rods to the place of beginning, containing sixteen and three quarters acres, more or less.

Second Tract: Being part of the north half of the east half of the southeast quarter of Section thirty three, township five, range four, beginning for the same at the northwest corner of the north half of the east half of the southeast quarter of said Section thirty-three; thence south 11 rods to the highway; thence east 10 rods; thence south 8 rods; thence south 60° east 10 rods; thence north 24 3/4° east 29.06 rods to the north boundary line of said quarter; thence west 38 rods to the place of beginning, containing four acres, more or less.

The aforesaid premises having been conveyed by Sarah E. Loudon and James Loudon, her husband,

to Peter M. Hitchcock and William D. Reed by deed of conveyance No. 11453, dated the 21st day of November, 1902, and recorded in volume 141, page 57 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 46 (53) WASHINGTON TOWNSHIP

Known as and being the southeast quarter of the northwest quarter of Section thirty two (32) township five (5) Range Four (4) in the district of lands subject to sale at Marietta, Ohio, containing thirty nine and eighty nine hundredths (39.89) acres.

Said premises are the same which were conveyed by Matthew Stewart and wife to James S. Stewart by deed dated April 2nd, 1888, and recorded in volume 94, at page 116, Record of Deeds of said county.

The aforesaid premises having been conveyed by James S. Stewart and Lydia Stewart, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11458, dated the 21st day of November, 1902, and recorded in volume 141, page 70 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 47 (54) WASHINGTON TOWNSHIP

Known as and being that part of the west half of the northwest quarter of Section thirty-one, Township five, Range four, lying west of the Bellaire and Southwestern Railroad, and in the District of Land formerly subject to sale at Marietta, containing fifty four acres, more or less. Said real estate is the same which was conveyed by Samuel Allen, et al to said James E. Martin by deed dated April 26th, 1880, and recorded in volume 74, at page 97 Record of Deeds of said county.

The aforesaid premises having been conveyed by James E. Martin and Mary E. Martin, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11456, dated the 21st day of November, 1902, and recorded in volume 141, page 65 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 48 (57) WASHINGTON TOWNSHIP

First Tract: Known as and being the southwest quarter of the northeast quarter of Section thirty one (31) Township five (5) Range four (4) containing forty acres, more or less.

Second Tract: Known as and being the northwest quarter of the southeast quarter of Section thirty one (31) Township five, Range four, containing forty acres, more or less.

Third Tract: Known as and being the northeast quarter of the southeast quarter of section thirty one (31) Township five (5) Range Four (4) containing forty acres, more or less.

Fourth Tract: Known as and being the southeast quarter of the northeast quarter of Section thirty one (31) Township five (5) Range four (4) containing forty acres, more or less, Excepting therefrom the following described part thereof, to-wit: Beginning for the same at the southeast corner of said quarter quarter; thence west 9 rods; thence north 31 rods; thence southeast 31 rods to the place of beginning, containing one acre, more or less.

The aforesaid premises having been conveyed by Perry Baker and July Anna Baker, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 12803 dated the 29th day of April, 1903, and recorded in volume 145, page 249 of the Deed Records of Belmont County.

★ PARCEL NO 49 (58) WASHINGTON TOWNSHIP ★

First Tract: The southeast quarter of the southeast quarter of Section thirty two (32) Township five (5) Range four (4) containing forty acres more or less.

Second Tract: The northeast quarter of the northeast quarter of section thirty one (31) Township and Range aforesaid, containing forty acres, more or less.

Third Tract: Situate in the southwest quarter of the southeast quarter of Section 32, and in the northwest quarter of the northeast quarter of Section 31, Township and Range aforesaid; bounded and described as follows: Beginning at the northeast corner of the southwest quarter of

the southeast quarter of Section 32; thence west with the north boundary of said quarter quarter; 38 poles to a corner on the east side of a small run; thence down said run to its junction with a large run, and to a large sand rock in a small drain near the top of the first bank on the south side of said large run; thence in a straight line to a white oak tree on a line dividing the northwest quarter of the northeast quarter of Section 31, east and west in the center; thence east with said center line 12 poles to the center of the west boundary of the northeast quarter of the northeast quarter of said section 31; thence north with said west boundary and with the west boundary of the southeast quarter of the southeast quarter of Section 32, 120 poles to the place of beginning, containing twenty acres, more or less.

Fourth Tract: Situate in the northwest corner of Section 25, Township and Range aforesaid, bounded and described as follows: Beginning for the same on the south bank of the right hand fork of Crabapple Creek and on the west boundary line of said Section; thence south with said line so far as will include one acre by running a line from the said Section line due east to the west bank of the left hand fork of said Crabapple Creek; thence down the said left hand fork to its junction with the right hand fork; thence up said right hand fork to the place of beginning, containing one acre. And containing in all of said tracts, one hundred and one (101) acres, more or less, and being a part of the premises of which Jesse Taylor died seized.

The aforesaid premises having been conveyed by Sarah A. Taylor (widower of Jesse Taylor) Lafayette King (widower of Josephine King) Freda King (unmarried) Lenora C. Taylor (wife of Lee R. Taylor, an insane person) Jesse Delbert Taylor and Stella Taylor, his wife, Simeon Thomas Taylor and Ann Taylor, his wife, heirs of Jesse Taylor, deceased, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 12804, dated the 30th day of April, 1903, and recorded in volume 145, page 252, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 50 (59) WASHINGTON TOWNSHIP

Known as and being the southwest quarter of the southwest quarter of Section thirty one (31) Township five (5) Range Four (4) also the southeast quarter of the southwest quarter of Section thirty one (31) Township five (5) Range Four (4) containing in all eighty acres, more or less.

The aforesaid premises having been conveyed by Minnie Baker and James M. Baker, her husband, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 12877 dated the 25th day of April, 1903, and recorded in volume 145, page 287, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 51 (60) WASHINGTON TOWNSHIP

First Tract: Being a part of the west half of section 20, Township 5, Range 4, and a part of the northeast quarter of Section 26, Township 5, Range 4; beginning for the same at the northwest corner of said Section 20; thence south 25° east 265 poles; thence west 69 poles to a post planted in the run on the south boundary of said tract; thence north 12 1/2° west 50 poles to a small ironwood; thence north 30 3/4° west 63 poles to a white walnut standing on the west boundary of said Section 20; thence with said section line north 37 poles; thence north 35 1/2° west 40 poles to a stone; thence north 37° west 85.70 poles to a stone on the north boundary of said section 26; thence east 74.60 poles to the place of beginning; containing ninety (90) acres and eighty six (86) perches, more or less.

Second Tract: Being a part of the west half of Section 20, Township 5, Range 4, and a part of the east half of Section 26, Township 5, Range 4; beginning for the same at the northwest corner of the east half of said Section 26; thence south 187.15 poles; thence east 40 poles; thence south 13.35 poles to a stone; thence east 40 poles to the east boundary of said section 26; thence south 40 poles to a stone; thence east 43 poles to a post planted in the run; thence north 12 1/2° west 57 poles to an Ironwood; thence north 30 1/4° west 63 poles to a white walnut on the west boundary of said section 20; thence north 37 poles to a stone; thence north

35 1/2° west 40 poles to a stone; thence north 37° west 85.70 poles to a stone on the north boundary of said Section 26; thence west 5.40 poles to the place of beginning, containing ninety (90) acres and eighty (80) perches, more or less.

EXCEPTING therefrom the following described tract, conveyed by Mathias Shipman to John Wright; beginning at a stone at the northwest corner of the east half of the northeast quarter of said section 26; thence east 2 rods; thence south 32° east 27 1/2 rods to a stone; thence south 45° west 25 rods to a stone; thence north 40 rods to the place of beginning, containing 2 acres and 33 perches, more or less.

EXCEPTING also the following described tract, being a part of the east half of the southeast quarter of Section 26, and commencing for the same at a point in said east half quarter, 40 rods south of the north boundary and 14.55 rods west of the east boundary of said east half quarter section; thence west 25.45 rods; thence north 13.35 rods; thence west 40 rods to a stone planted; thence north 9/10 rods; thence east 60.36 rods; thence in a southerly direction 15.45 rods to the place of beginning, containing 3 acres, more or less.

Third Tract: Situated in the Township of Washington, County of Belmont and State of Ohio, and known as and being a part of the east half of the southeast quarter of Section 26, Township 5 Range 4, and beginning for the same at a point in the section line between section 26 and Section 20, 61.81 rods south of the northeast corner of said half quarter section, and running thence north with said section line 21.81 rods to a point in said line 40 rods south of said northeast quarter corner; thence west 14.55 rods; thence in a straight line 26.22 rods to the place of beginning; containing 1 acre, more or less.

Said Grantors hereby convey to said Grantees, their heirs and assigns, all of the No. 8 coal which they own in said Sections 20 and 26.

The aforesaid premises having been conveyed by Mary A. Loudon, widow, Sarah E. Daugherty and Albert A. Daugherty, her husband, and Emmett H. Shipman, unmarried, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13123, dated the 30th day of April, 1903, and recorded in volume 145, page 416, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 52 (63) WAYNE TOWNSHIP

Known as and being all that part of the southeast quarter of the northwest quarter of Section 2, Township 6, Range 5, which lies east of the middle of Piney Creek, containing ten (10) acres, more or less.

The aforesaid premises having been conveyed by Erastus Moore and Nancy E. Moore, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13002 dated the 18th day of May, 1903, and recorded in volume 143, page 309, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 53 (64) WAYNE TOWNSHIP

Being the north half of the northwest quarter of Section two (2) Township six (6) Range Five (5) containing seventy nine and one-half (79 1/2) acres, more or less.

The aforesaid premises having been conveyed by Nancy Martin (a widow) V.A. Martin and Ida Martin (both unmarried) to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13001 dated the 19th day of May, 1903, and recorded in volume 143, page 307, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 54 (65) WAYNE TOWNSHIP

First Tract: Being the east half of the northeast quarter of Section Three (3) Township six (6) Range five (5) excepting therefrom Ten (10) acres in the northwest corner of said half quarter, described as follows: beginning at the northwest corner of said half quarter, running thence east with the north boundary line of said half quarter, forty (40) poles; thence southwest in a straight line to the exact center of the said northeast quarter of said section 3; thence

north with the west boundary line of said half quarter eighty (80) poles to the place of beginning..

Also excepting a tract in the southeast corner of said half quarter, containing about three (3) acres and three (3) rods, described as follows: Beginning at the southeast corner of said half quarter, running thence north with the east boundary of said half quarter, thirty-two (32) poles to a stone marked "D"; thence southwesterly twenty (20) poles to a corner marked "E"; thence south twenty-four (24) poles to a stone in the south boundary of said ^{half} quarter marked "F" thence east with said boundary twenty (20) poles to the beginning.

Also excepting a tract in the northeast corner of said half quarter containing about one (1) acre, and being the same premises described in the deed of Charles Wheeler and wife to Milton Danford, dated February 14, 1853, and recorded in volume 37, at page 25, of the Records of Deeds of Belmont County, Ohio.

Leaving in the premises hereinbefore conveyed sixty five (65) acres, more or less; but subject to all legal highways.

Second Tract: Being all that part of the southeast quarter of the northwest quarter of Section Two (2) Township six (6) Range Five (5) which lies west of the middle of Pina Creek, containing thirty (30) acres, more or less.

And containing in both of said tracts ninety five (95) acres, be the same more or less.

The aforesaid premises having been conveyed by Nancy Martin, (a widow) to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13016, dated the 16th day of May, 1903, and recorded in volume 145, page 365, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 55 (66) WASHINGTON TOWNSHIP

First Tract: Known as and being a part of Section 20, Township 5, Range 4, and commencing for the same at the southeast corner of the northeast quarter of the southwest quarter of said Section 20, running thence north 240.6 poles to the northeast corner of the northwest quarter of said section; thence with the north boundary of said section west 61 poles; thence south 105 poles; thence west 51 poles; thence south 25° east 147.5 poles; thence east 48.5 poles to the place of beginning, containing one hundred and eight acres and twenty five poles more or less, EXCEPTING therefrom the following described premises to-wit: Situated in the township of Washington, County of Belmont and State of Ohio and commencing for the same at the northeast corner of the northwest quarter of Section 20; thence with the north boundary of said section west 61 poles; thence south 20.98 poles; thence east 61 poles; thence north 20.98 poles to the place of beginning, containing eight acres, more or less.

Second Tract: A part of Section 20, Township 5, Range 4, beginning for the same at the northwest corner of said section; thence south 23 1/2° east 116 rods to a stone; thence east 49 rods to a stone; thence north 105 rods to a stone; thence west 99 rods to a stone; the place of beginning, containing forty eight acres and ninety nine perches, more or less, EXCEPTING therefrom the following described premises, to-wit: Situated in the township of Washington, County of Belmont and State of Ohio, beginning for the same at the northwest corner of Section 20, Township 5, Range 4; thence south 23 1/2° east 22.91 rods; thence east 89.84 rods; thence north 20.98 rods; thence west 99 rods to the place of beginning, containing 12.38 acres, more or less. And the said grantor, Gordon Pugh, hereby conveys to said grantees, their heirs and assigns all the No. 8 coal which he has or ought to have in said Section twenty.

The aforesaid premises having been conveyed by Gordon Pugh, unmarried, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13 063, dated the 15th day of May, 1903, and recorded in volume 145, page 384, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 56 (67) WAYNE TOWNSHIP

Known as and being the southwest quarter of the northwest quarter of Section Two (2) Town-

ship six (6) and Range five (5) containing forty (40) acres, more or less.

EXCEPTING therefrom the following described real estate: Beginning for said exception at the southwest corner of the northwest quarter of said Section 2, at a stone marked letter "J"; thence running east 45 rods to a run; thence up the run in a northwest direction 45 rods (part of description omitted, see deed No. 11724 "Parcel 27 (34) supra" recorded in volume 141, page 260, Tract 6, which omission is not in deed from Thomas McGilton and wife to Peter M. Hitchcock and William D. Rees) to the place of beginning, containing 4-1/2 acres, more or less; and containing after said exception 35 1/2 acres, more or less.

The aforesaid premises having been conveyed by Thomas McGilton and Amanda McGilton, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13365, dated the 1st day of June, 1903, and recorded in volume 147, page 22 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 57 (68 and 69) WASHINGTON TOWNSHIP

Known as and being all that part of the southwest quarter of Section 34, Township 5, Range 4, which lies on the south side of Pina Fork of Captina Creek, containing sixteen acres, more or less.

The aforesaid premises having been conveyed by Susan Ward (widow of David Ward, deceased) Edgar C. Ward (devisee under will of David Ward) et al, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13140, dated the 19th day of May, 1903, and recorded in volume 145, page 429 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 58 (71) WAYNE TOWNSHIP

First Tract: Beginning for the same at the southwest corner of Section one, Township six and range five; thence north with the section line, 72 perches to a stone, witness a white oak 15 inches south 45° east 9 links also white oak 16 inches south 89° west 6 links; thence south 49 1/2° east 50 perches to a stone corner established by Charles DeHass, surveyor, for one Solomon Moore in 1845; thence east parallel with the section line 159.61 perches to a stone; thence south 40.20 perches to a post in the section line; thence west with the section line 198.18 perches to the place of beginning, containing fifty four acres, more or less, forty four acres thereof being in the south part of the southwest quarter of said section one and ten acres thereof being in the southwest corner of the southeast quarter of said section.

The aforesaid premises having been conveyed by Gordon Pugh, unmarried, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13366, volume 147, page 24 of the Deed Records of Belmont County, Ohio.

Second Tract: This tract is situated in Monroe County, Sunbury Township and not in Belmont County, Wayne Township, and is bounded as follows: Beginning for the same at the northwest corner of the northwest quarter of Section six, township five and range five of the lands sold at the land office at Marietta and running thence east 164 perches to a stake; thence south 58 perches to a stake and stone; thence west 164 perches to a stake; thence north 58 perches to the place of beginning. EXCEPTING nine acres thereof sold to Samuel Starr off the east end of said tract, containing fifty acres more or less.

The above excepted nine acres are described as follows: Beginning for the same at the northeast corner of the northwest quarter of Section six, Township 5, Range 5, and running thence south 58 perches to a post; thence west 29 8-10 perches to a post; thence north nine degrees and thirty minutes east 58 2/10 perches to a stake; thence east 20 perches to the place of beginning and being the same nine acre tract of land conveyed by Solomon Moore to Samuel Starr.

The aforesaid premises having been conveyed by Gordon Pugh, unmarried, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 15687, dated the 3rd day of July, 1903, and recorded in volume 62, pages 273-274-275 of the Deed Records of Monroe County, Ohio.

PARCEL NO. 59 (74) WASHINGTON TOWNSHIP

Known as and being the southeast quarter of the southwest quarter of Section thirty five (35) Township five (5) Range four (4) in the district of lands formerly for sale at Marietta, Ohio, containing forty acres, more or less.

The aforesaid premises having been conveyed by John Saffoll and Elizabeth Saffoll, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13710, dated the 6th day of July, 1903, and recorded in volume 147, page 284, of the Deed Records of Belmont County.

PARCEL NO. 60 (77) WAYNE TOWNSHIP

First Tract: Known as and being the south half of the east half of the northeast quarter of Section 15, Township 6, Range 5, containing 39 acres and 2 rods, be the same more or less.

Second Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio, and being a part of the northeast quarter of the northeast quarter of Section 15, Township 6, Range 5 and beginning for the same at the southwest corner of the northeast quarter of the northeast quarter of said section; thence north 20 rods; thence east 80 rods; thence south 20 rods; thence west 80 rods to the place of beginning, containing 10 acres, more or less, and being the same real estate which was conveyed by Elwood Price and wife to said Leander Davis by deed dated March 28, 1892, and recorded in volume 104, at page 121, Record of Deeds of said county.

Third Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio, and being a part of the southeast quarter of the northwest quarter of Section 9, Township 6, Range 5, beginning for the same at the northwest corner of the southeast quarter of northwest quarter of said section. Running thence south $85\frac{1}{2}^{\circ}$ east 166 feet to a ravine; thence south $14\frac{3}{4}^{\circ}$ west 473 feet to a point in the middle of the public road; thence with said road south $67\frac{1}{2}^{\circ}$ west 78 feet; thence leaving said road running north $4\frac{1}{2}^{\circ}$ east 509.8 feet to the place of beginning, containing $1\frac{1}{4}$ acres, more or less.

Fourth Tract: Situated in the township of Wayne, County of Belmont and State of Ohio, and being a part of the southeast quarter of the northwest quarter of Section 9, Township 6, Range 5, beginning for the same at a point in the ravine south $85\frac{1}{2}^{\circ}$ east 166 feet from the northwest corner of the southeast quarter of the northwest quarter of said section. Running thence south $85\frac{1}{2}^{\circ}$ east 291.7 feet to the middle of the public road; thence with the public road south $2\frac{1}{4}^{\circ}$ east 226.5 feet; thence south $53\frac{1}{4}^{\circ}$ west 131.5 feet; thence south $67\frac{1}{2}^{\circ}$ west 336.8 feet; thence leaving said road north $14\frac{3}{4}^{\circ}$ east 473 feet to the place of beginning, containing 3 acres, more or less.

Fifth Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio; known as and being the southwest quarter of the northwest quarter of section 9, township 6, range 5, containing 40 acres, more or less.

Sixth Tract: Situated in the Township of Wayne, County of Belmont and State — Ohio, and beginning for the same at the northwest corner of said section and running thence south $4\frac{1}{2}^{\circ}$ east 1332 feet; thence south $85\frac{1}{2}^{\circ}$ east 1797.7 feet to the middle of the public road; thence with said road north $47\frac{1}{4}^{\circ}$ west 339.5 feet; thence north $29\frac{1}{2}^{\circ}$ west 239.7 feet; thence with the old road north $4\frac{3}{4}^{\circ}$ west 223 feet; thence north $39\frac{3}{4}^{\circ}$ west 289 feet; thence north $38\frac{3}{4}^{\circ}$ west 377 feet; thence north $6\frac{3}{4}^{\circ}$ west 439 feet, to a stone on the west side of the old road; thence north 79° west 146 feet to the middle of Captina Creek; thence with said creek south $58\frac{3}{4}^{\circ}$ west 400 feet; thence south $39\frac{1}{2}^{\circ}$ west 217.9 feet; thence leaving said creek north $45\frac{1}{2}^{\circ}$ west to the place of beginning, containing 38 acres more or less.

EXCEPTING from the above described real estate the following tract: Situated in the township of Wayne, County of Belmont and State of Ohio, and known as follows: It being a part of the northwest quarter of Section 9, Township 6, Range 5; beginning for the same at a corner near

a walnut bush on section line between M. N. Carpenter and Leander Davis; thence east to a corner stone at a post on the top of the hill; thence northeast following the top of the hill to a White Oak tree where the fence joins; thence straight to the run; thence down said run to Captina Creek; thence west following the meanderings of said Creek to the section corner between the M. N. Carpenter and Leander Davis; thence south to the place of beginning, containing 3 acres, more or less.

The aforesaid premises having been conveyed by Leander Davis and Martha J. Davis, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 14072, dated the 27th day of October, 1903, and recorded in Volume 147, Page 576, of the Deed Records of Belmont County Ohio.

PARCEL NO. 61 (81) - WASHINGTON TOWNSHIP.

First Tract: Known as and being the northeast quarter of the northwest quarter of Section 31, Township 5, Range 4, in the district of lands offered for sale at Marietta, Ohio, containing 40 acres.

Second Tract: Known as and being the southeast quarter of the southwest quarter of Section 32, Township 5, Range 4, in the district of lands offered for sale at Marietta, Ohio, containing 40 acres.

Third Tract: Known as and being the south half of the northwest quarter of the northeast quarter of Section 31, Township 5, Range 4, in the district of lands formerly for sale at Marietta, Ohio, containing 20 acres, more or less, and being the same lands conveyed by Martha Kirkbride to Ebenezer Taylor by deed dated July 1, 1849, and recorded in Volume 33, at page 444.

Fourth Tract: Being a part of the southwest quarter of the southeast quarter of Section 32, Township 5, Range 4, together with a part of the northwest quarter of the northeast quarter of Section 31, Township 5, Range 4; beginning for the same at the northwest corner of said southwest quarter of the southeast quarter of Section 32; thence east with the north boundary of said quarter 42 poles to a corner on the east side of a small run; thence down said run to its junction, with a larger run, and to a large sand rock in a small drain near the top of the first bank on the south side of said larger run; thence on a straight line to a White Oak tree on the east and west line dividing in the center the said northwest quarter of the northeast quarter of Section 31; thence west with said center line 68 poles to a corner on the west boundary of said last mentioned quarter of quarter; thence north 120 poles to the place of beginning; containing 40 acres more or less.

The aforesaid premises having been conveyed by Zacariah Taylor and Sarah E. Taylor, husband and wife, et al. to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 11875, dated the 13th day of January, 1903, and recorded in Volume 141, Page 406 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 62 (82) - WAYNE TOWNSHIP.

Situated in the Township of Wayne, County of Belmont and State of Ohio, and known as the west half of the southwest quarter of Section 22, in Township 6, of Range 5, of the District of lands sold at Marietta, Ohio.

The aforesaid premises having been conveyed by James H. McMillen and Mary L. McMillen his wife to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13263, dated the 15th day of September, 1903, and recorded in Volume 147, Page 335 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 63 (83) - WAYNE TOWNSHIP.

First Tract: Known as and being the southeast quarter of the northwest quarter of Section 27, Township 6, Range 5, containing 40 acres, more or less: EXCEPTING therefrom the following described part thereof, the same having been conveyed by Michael Wallis to Daniel Williams by deed recorded in Volume 112, at page 191, Record of Deeds of said County, to-wit: Bounded on the north

by the farm owned by Hezekiah Lundy, commencing at Daniel Williams' line and running east 3 rods and 12 feet; on the west by Daniel Williams' land and running south 11 rods to the road; on the east by the public road, containing one-eighth ($1/8$) of an acre, more or less.

Second Tract: Known as and being a part of the southwest quarter of Section 27, Township 6, Range 5; beginning at the northeast corner of Samuel Craft's land, on the northeast side of Cap-tina Creek; thence up said creek south 42° west 16.88 poles to a Gum tree; thence south 71° west 13.86 poles; thence south $87\frac{1}{2}^{\circ}$ west 17 poles; thence north 30° west 20.36 poles; thence east 51.68 poles to the place of beginning, containing 4 acres, 1 rood and 23 poles, more or less.

The aforesaid premises having been conveyed by Elizabeth Wallis, unmarried, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13760, dated the 12th day of September, 1903, and recorded in Volume 147, Page 330 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 64 (84) - WAYNE TOWNSHIP.

Being a part of the southeast quarter of Section 28, Township No. 6 and Range No. 5; beginning 20 perches north of the southeast corner of said southeast quarter of Section 28, Township 6, Range 5; running thence north 127 perches; thence south 55° west 8.36 perches; thence south 49° west 20.80 perches; thence south 54° west 8 perches; thence south 38° west 7.08 perches; thence south 7° west 7.20 perches; thence south 9° west 7.64 perches; thence south $21\frac{1}{2}^{\circ}$ west 15.76 perches; thence south 2° east 7.64 perches; thence south $18\frac{1}{2}^{\circ}$ east 22.84 perches; thence south $47\frac{1}{2}^{\circ}$ east 19.12 perches; thence south 30° east 20 perches; thence south $37\frac{3}{4}^{\circ}$ east 10 perches; thence south 51° east 4 perches to the place of beginning, containing Nineteen (19) Acres and One Hundred and Seven (107) Perches, be the same more or less.

The aforesaid premises having been conveyed by Balerma McEndree, unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13762, dated the 12th day of September, 1903 and recorded in Volume 147, Page 333 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 65 (85) - WAYNE TOWNSHIP.

First Tract: Known as and being the east half of the northwest quarter of Section 22, in Township 6, Range 5, in the District of Lands formerly for sale at Marietta, Ohio, containing Eighty-one and two hundredths (81.02) acres; EXCEPTING therefrom so much of the east half of said northwest quarter as lies southwest of the run that heads in the lands of Joel Berry, containing eight (8) acres; beginning for said exception where the west boundary line of said half quarter crosses said run; thence down said run with the meanderings of the same, to the large run; thence down the large run to the south boundary line of said half quarter; thence west to the southwest corner of said half quarter; thence north to the place of beginning.

Second Tract: Known as and being a part of the southwest quarter of Section 23, Township 6, Range 5, beginning for the same 61.11 $1/2$ poles east of the section corner, by the school house and running with said section line east 103.04 $1/2$ poles to the quarter section corner; thence north 2 poles to a stake; thence west 103.04 $1/2$ poles to a stake; thence south 82 poles to the place of beginning, containing 52 acres, 3 roods and 13 $1/2$ poles, more or less; EXCEPTING therefrom the following described part thereof: Beginning for said exception at the southeast corner of said quarter section; thence west 30 rods; thence north 80 rods; thence east 30 rods to the quarter section line; thence south on said line 82 rods to the place of beginning, containing in said exception 15 $1/3$ acres, more or less, and leaving in said tract 37 acres, more or less.

The aforesaid premises having been conveyed by Mary Jane Thomas, unmarried, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13709, dated the 3rd day of September, 1903, and recorded in volume 147, page 281 of the Deed Records of Belmont County, Ohio.

PARCEL NO 66 (86) WAYNE TOWNSHIP

First Tract: Known as and being sixteen (16) acres off the north end of the west half of the southeast quarter of Section 27, Township 6, Range 5, in the Marietta Land District.

Second Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio, and described as follows, to-wit: Known as and being a part of the east half of the southwest quarter of section 27, township 6, Range 5: beginning at the northeast corner of said land; thence running south 28 rods along the section line to a bench in the hill, to a stone 6 feet north of a White Oak Tree; thence west 80 rods to a White Oak on the line of C. Buley's land; thence north to Captina Creek; thence down said creek to the place of beginning, containing eight (8) acres, more or less.

The aforesaid premises having been conveyed by H.S. Phillips and Viola Phillips, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13759, dated the 11th day of September, 1903, and recorded in volume 147, page 325, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 67 (87) WAYNE TOWNSHIP

Being the west half of the northwest quarter of Section No. Twenty one (21) Township No. Six of Range No. Five (5) in the Marietta Land District, containing eighty three (83) acres, more or less.

The aforesaid premises having been conveyed by Hamilton A. Davis and Annie E. Davis, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 13761, dated the 12th day of September, 1903, and recorded in volume 147, page 328, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 68 (88) WAYNE TOWNSHIP

First Tract: And known as and being the east half of the northeast quarter of Section 28, Township 6, of Range 5, containing eighty (80) acres, more or less.

Second Tract: Known as and being the east half of the southeast quarter of Section 28, Township 6, Range 5; containing 79.88 acres, more or less; EXCEPTING therefrom the following described part thereof, which was conveyed by Samuel Martin and wife to Samuel Finley by deed dated June 6, 1853, and recorded in Volume 37, page 346, Records of Deeds of said County, to-wit: Beginning at the southeast corner of the southeast quarter of Section 28, Township 6, Range 5, running thence west 80.02 perches; thence north 160.60 perches; thence south $36\frac{3}{4}^\circ$ east 72.68 perches; thence south $21\frac{1}{2}^\circ$ west 14 perches; thence south 2° east 7.64 perches; thence south $18\frac{1}{2}^\circ$ east 22.84 perches; thence south $47\frac{1}{2}^\circ$ east 19.12 perches; thence south 30° east 20 perches; thence south $37\frac{3}{4}^\circ$ east 10 perches; thence south 51° east 4 perches; thence south 20 perches to the place of beginning; containing 44 acres and 158 perches, more or less. EXCEPTING ALSO THEREFROM the following described part thereof, which was conveyed by Samuel Martin and wife to William Gregg and Carleton Gregg, by deed dated April 28, 1850, and recorded in volume 39, page 134, Records of Deeds of said county, to-wit: Beginning 20 perches north of the southeast corner of the southeast quarter of section 28, township 6, range 5; running thence north 127 perches; thence south 49° west 20.80 perches; thence south 54° west 8 perches thence south 38° west 7.08 perches; thence south 7° west 7.20 perches; thence south 9° west 7.64 perches; thence south $21\frac{1}{2}^\circ$ west 15.76 perches; thence south 2° east 7.64 perches; thence south $18\frac{1}{2}^\circ$ east 22.84 perches; thence south $47\frac{1}{2}^\circ$ east 19.12 perches; thence south 30° east 20 perches; thence south $37\frac{3}{4}^\circ$ east 10 perches; thence south 51° east 4 perches to the place of beginning, containing 19 acres and 107 perches, more or less.

The aforesaid premises having been conveyed by William F. Neptune and Arminda B. Neptune, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13795, dated the 16th day of September, 1903, and recorded in volume 147, page 360, of the Deed Records of Belmont County. Ohio.

PARCEL NO 69 (89) WAYNE TOWNSHIP

Known as and being the northeast quarter of the southeast quarter of Section 27, Township 6,

Range 5, of the District of Lands subject to sale at Marietta, Ohio, containing 39.71 acres; excepting therefrom the following described part thereof, the same having been conveyed by William Harris to Hosea Doudna by deed recorded in volume 39, at page 319, Records of Deeds of said County, to-wit: Beginning for said exception on the section line, 80.12 perches north of the southeast corner of the southeast quarter of Section 27, Township 6, Range 5; thence west 80 perches; thence north 85 perches; thence north 83° east 9 perches; thence north 77 1/2° east 14 perches; thence north 61° east 5 perches; thence north 65° east 10 perches; thence north 60 1/2° east 15 perches; thence north 53 1/2° east 37.88 perches to the section line; thence south with said line 45.12 perches to the place of beginning, containing ten (10) acres, more or less.

The aforesaid premises having been conveyed by John W. Harris and Margaret J. Harris, both unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13788, dated the 16th day of September, 1903, and recorded in volume 147, page 352, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 70 (90) WAYNE TOWNSHIP

First Tract: The west half of the N.W. quarter of section No. 27, in Township No. 6, Range No. 5, Marietta District, containing 80 acres more or less; EXCEPTING therefrom the following described part thereof; which was conveyed by John Beck and wife to Nathaniel Willcox and others directors of the eighth school district of Wayne Township, by deed dated October 13, 1838 and recorded in Volume "W" page 480, record of deeds of said county, described as follows, to-wit:

Beginning for said exception at a point in the west boundary line of said section, 34 poles south from the N.W. corner thereof, running thence east 9 rods; thence south 26.67 rods; thence west 9 rods; thence north 26.67 rods to the place of beginning, containing 1 1/2 acres, more or less. ALSO EXCEPTING THEREFROM the following described part thereof, which was conveyed by John Beck and wife to Samuel Craft by deed dated September 28, 1838, and recorded in Volume "X" page 404, Record of Deeds of said county, described as follows, to-wit: Situate in the County of Belmont, aforesaid, it being a part of the north west quarter of Section 27, in Township 6, of Range 5, Marietta District; beginning for the same at the S.W. corner of the N.W. quarter of said Section, running thence north 37.28 poles to Captina Creek; thence up said Creek S. 45 1/4° E. 52 1/2 poles to the south boundary line of said quarter section; thence with said line west 37.72 poles to the place of beginning, containing 4 A. 1 R. 23 P., more or less.

Second Tract: Being a part of the southeast quarter of the northwest quarter Section 27, Township 6, Range 5; beginning for the same at an iron pin N. 4° 30' E. 1115.4 feet from a stone, the S.W. corner of the S.E. quarter of the N.W. quarter of said section; running thence N. 4 1/2° E. 211.5 feet to a point under the barn; thence S. 85 1/2° E. 61.5 feet to a stake in the Public Road; thence S. 20 3/4° W. 220.1 feet to the place of beginning, containing 1/3 acre, more or less.

Third Tract: Being a part of the west half of the northwest quarter, Section 27, Township 6, Range 5, beginning for the same at a point in the west boundary line of said Section, 34 poles S. from the N.W. corner thereof; running thence E. 9 rods; thence S. 26.67 rods; thence W. 9 rods; thence N. 26.67 rods to the place of beginning, containing 1-1/2 acres, more or less.

Fourth Tract: Being a part of the northeast quarter of the northwest quarter of Section 27, Township 6, Range 5. Beginning for the same at the N.W. corner of N.E. quarter of the N.W. quarter of Section 27; running thence S. 85-1/2° E. 750.8 feet to a large white oak tree on the west side of the Public Road; thence with said road S. 29° W. 371 feet; thence S. 22° W. 239 feet with said road; thence S. 33-1/2° W. 481 feet with said road; thence S. 57-1/2° W. 125.2 feet with said road; thence S. 26 1/4° W. 308.5 feet with said road; thence leaving said road and running N. 85-1/2° W. 61.5 feet to a point under the barn; thence N. 4-1/2° E. 1348 feet to the place of beginning, containing 13-28/100 acres, be the same more or less.

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The aforesaid premises having been conveyed by Lee R. Conaway and Rachel A. Conaway, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13970, dated the 12th day of October, 1903, and recorded in volume 147, page 500 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 71 (91) WAYNE TOWNSHIP

First Tract: Known as and being the north half of the west half of the northeast quarter of Section 27, Township 6, Range 5, containing forty (40) acres, more or less.

Second Tract: Being the northeast quarter of the northwest quarter of Section No. 27, Township No. 6, and Range No. 5, containing forty (40) acres more or less. EXCEPTING therefrom the following described part thereof, which was conveyed by Martha A. Gibbins and husband to Lee R. Conaway by deed dated July 1, 1903, to-wit: Being a part of the northeast quarter of the northwest quarter of Section 27, Township 6, Range 5; beginning for the same at a hickory tree in the line of J.A. Harris' land and at the corner of Lee R. Conaway's land; thence east with said Harris' line 45-1/2 rods to a large white oak tree in the County Road; thence with said county Road in a southwesterly direction to a stake at the corner of Elizabeth Wallace's land; thence west 3 rods and 12 feet to Lee R. Conaway's barn; thence north with the line of Lee R. Conaway's land 80 rods to the place of beginning, containing the said exception fourteen (14) acres, more or less.

The aforesaid premises having been conveyed by Martha A. Gibbons and S.R. Gibbons, her husband, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13872, dated the 30th day of September, 1903, and recorded in volume 143, page 358, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 72(2) WASHINGTON TOWNSHIP

Known as and being the northwest quarter of the northwest quarter of Section twenty six (26) and the northeast quarter of the northeast quarter of Section thirty two (32) in Township five (5) of Range Four (4) in the district of Marietta and State of Ohio, containing eighty acres, more or less.

The aforesaid premises having been conveyed by Elizabeth Myers, unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12730, dated the 9th day of April, 1903, and recorded in volume 145, page 201 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 73 (4) WASHINGTON TOWNSHIP

First Tract: The Southeast quarter of the northwest quarter of Section 26, Township 5, of Range 4.

Second Tract: The southwest quarter of the northeast quarter of Section 26, Township 5, Range 4.

Third Tract: The northwest quarter of the southeast quarter of Section 26, Township 5, of Range 4.

(Containing in all of the three above described tracts 119.46 acres)

The above described premises were conveyed by E.B. Armstrong, Administrator of the estate of Jacob Perkins, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 11165, dated the 15th day of October, 1902, and recorded in volume 139, page 443, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 74(7) WAYNE TOWNSHIP

First Tract: Being a part of the northwest quarter of Section one (1) in Township six (6) of Range five (5) of lands subject to sale at Marietta, Ohio, beginning for the same at the southeast corner of said quarter section; thence north 50 poles to a stone; thence west 160 poles to a stone; thence south 50 poles to a stone; thence east 159.40 poles to the place of beginning, containing fifty (50) acres, more or less.

Second Tract: Being forty acres off the north side of the southwest quarter of Section one

Hitchcock and William D. Rees, by deed of conveyance No. 12567, dated the 23rd day of March, 1903, and recorded in volume 145, page 12, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 77 (11) WASHINGTON TOWNSHIP

First Tract: The northeast quarter of the northeast quarter of Section Twenty, Township five, Range four, in the District of Lands subject to sale at Marietta, Ohio, containing thirty nine acres and fifty hundredths of an acre.

Second Tract: The northwest quarter of the northeast quarter of Section Twenty, Township five, Range four, in the District of Lands subject to sale at Marietta, Ohio, containing thirty nine acres and fifty hundredths of an acre.

Third Tract: The southwest quarter of the northeast quarter of section twenty, township five, Range four, in the District of Lands subject to sale at Marietta, Ohio, containing thirty nine acres and fifty hundredths of an acre. The three tracts above conveyed contain, in all one hundred and eighteen acres and fifty hundredths of an acre.

The above described premises were conveyed by Isaac Perkins and Florence O. Perkins, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12277 dated the 12th day of February, 1903, and recorded in volume 143, page 91 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 78 (14) WASHINGTON TOWNSHIP

Being known as the southwest quarter of the southeast quarter of Section 19 and five acres off the south side of the northwest quarter of the southeast quarter of Section 19, said two tracts being contiguous and containing in all forty five (45) acres, Situated in Township 5, range 4.

The above described premises were conveyed by Salathiel E. Trigg, unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12213, dated the 16th day of March, 1903, and recorded in Volume 143, page 69, of the Deed records of Belmont County, Ohio.

PARCEL NO. 79 (15) WASHINGTON TOWNSHIP

Being the northwest quarter of section fourteen (14) township five (5) and range four (4) and the northwest quarter of the southwest quarter of Section fourteen (14) township five (5) Range four (4) and the southeast quarter of the northeast quarter of Section Twenty (20) Township five (5) Range four (4) and the northeast quarter of the southeast quarter of Section twenty (20) Township five (5) Range four (4) containing in all two hundred and eighty (280) acres, more or less.

The above described premises were conveyed by John McGary and David McGary (both unmarried) to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12214, dated the 13th day of February, 1903, and recorded in volume 143, page 70 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 80 (55) WASHINGTON TOWNSHIP

Being a part of the northeast quarter of section 25, township 5, range 4; beginning for the same at a stone marked "A", the northeast corner of said Section 25; running thence with the eastern line of said section 25, south 4° 15' west 1614.4 feet to a stake in a run; thence north 87° 15' west 473.2 feet; thence south 36° 30' west 1216.4 feet to a point on the south line of said quarter; thence with said line north 86° 30' west 291 feet to a stone, the southeast corner of Elizabeth Riley's land; thence with her line north 3° east 2643 feet to a stone planted in a Wild Cherry tree, on the section line between Sections 25 and 26, on the south line of the cemetery; thence with said section line south 87° 15' east 1454.6 feet to the place of beginning, containing 69.65 acres, more or less.

EXCEPTING therefrom the following described real estate, the same having been conveyed by Iva Noffsinger and husband to Jane G. Gates, by deed dated July 31, 1883, and recorded in volume 81 at page 519, Records of Deeds of said county, to-wit: Being the north part of the northeast

part of the northeast quarter of Section 25, Township 5, Range 4; beginning 10 rods west of the northeast corner of Section 25, at a stone in a run; thence up said run, following the road, making the middle of the road the line, south $61\frac{1}{2}^{\circ}$ west 18.16 rods; thence south 68° west 11.28 rods to a small drain; thence north 74° west 23.80 rods; thence south 88° west 16 rods; thence north $49\frac{1}{2}^{\circ}$ west 9.88 rods to a stone at a corner of the graveyard, on the section line between Sections 25 and 26, 72.8 feet east of the stone planted in the Wild Cherry Tree, the northeast corner of Iva Noffsinger's land; thence with said section line east 73.92 rods to the place of beginning; containing three and one-fourth ($3\frac{1}{4}$) acres, more or less.

The above described premises were conveyed by Iva Noffsinger and Mathias Noffsinger, her husband, to Peter M. Hitchcock and William D. Reese, by deed of conveyance No. 12801, dated the 28th day of April, 1903, and recorded in volume 145, page 244, of the Deed Records of Belmont County, Ohio, in which deed said Iva Noffsinger conveyed to said grantees, their heirs and assigns all the No. 8 coal which she owned in said Section 25.

PARCEL NO. 81 (56) WASHINGTON TOWNSHIP

First Tract: Being a part of the northeast quarter of Section 25, Township 5, Range 4, and beginning for the same at a stake on the section line, in a run, south $4^{\circ} 15'$ west 1614.4 feet from the northeast corner of said quarter; thence north $87^{\circ} 15'$ west 473.2 feet; thence south $36\frac{1}{2}^{\circ}$ west 1216.4 feet to a point on the south line of said quarter section; thence with said line south $86^{\circ} 30'$ east 1105.5 feet to the southeast corner of said quarter; thence with the eastern boundary line of said section north $4^{\circ} 15'$ east 1030 feet to the place of beginning, containing twenty (20) acres, more or less.

Second Tract: Situated in the Township of Washington, County of Belmont and State of Ohio, and known as and being the north half of the east half of the southeast quarter of Section 25, Township 5, Range 4; containing forty (40) acres, more or less.

Third Tract: Situated in the township of Washington, County of Belmont and State of Ohio, and known as and being part of the southeast quarter of Section 25, Township 5, Range 4; beginning for the same at a stone on the township line, the southeast corner of said section 25; thence west 80 rods to a stake; thence north 80 rods to a stake; thence east 1° north 80 rods to the section line; thence south to the place of beginning, containing forty (40) acres, more or less.

The above described premises were conveyed by Mathias Noffsinger and Iva Noffsinger, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12802, dated the 28th day of April, 1903, and recorded in volume 145, page 247, of the Deed Records of Belmont County, Ohio, in which deed Mathias Noffsinger conveyed to said grantees, their heirs and assigns, all the No. 8 coal which he owned in said Section 25.

PARCEL NO. 82 (61) WASHINGTON TOWNSHIP

First Tract: Being a part of the southeast quarter of Section Twenty six in Township five of Range four in the District of Lands heretofore subject to sale at Marietta, Ohio, beginning for the same at a stone marked "A" the southeast corner of said section; running thence north $1\frac{1}{4}^{\circ}$ east 1747 feet to a stake on the section line; thence north $38\frac{1}{2}^{\circ}$ west 331 feet to a stone; thence north $19\frac{3}{4}^{\circ}$ west 254 feet; thence north $87^{\circ} 15'$ west 984 feet to a stone; thence south $4^{\circ} 15'$ west 2219 feet to a stone; thence south $87^{\circ} 15'$ east 1326.5 feet to the place of beginning, containing 65.10 acres. Excepting therefrom the following described tract known as the School House Lot and described as follows: It being a part of the east half of said southeast quarter of Section Twenty six on the west side of said half quarter and west of the public road; Beginning at a stone (as originally marked) marked with the letter "A" situated at the edge of said road, thence running north twelve (12) rods to a stone marked "B"; thence east six (6) rods to a stone marked "C"; thence south to the place of beginning, containing one-fourth ($\frac{1}{4}$) of an

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(1) Township six, Range five (5).

Third Tract: The north one hundred and ten (110) acres of the northwest quarter of section one (1) Township six (6) Range five (5) in Wayne Township, Belmont County, Ohio.

EXCEPTING therefrom the following described real estate; the same having been conveyed by Amster Moore and wife to George W. Phillips by deed dated April 1st, 1871, and recorded in volume , at page 118, Record of Deeds of said county, to-wit: Beginning for said exception at the northwest corner of said Section one; thence south 110 rods; thence south $89\frac{3}{4}^{\circ}$ east 36 rods; thence north 3° east 8.28 rods; thence north 27° E. 19.2 rods; thence north 4° west 9 rods; thence north 37° west 12 rods; thence north 44° west 9.44 rods; thence north 29° east 6.68 rods; thence north 43° east 6 rods; thence north 61° east 15 rods; thence north 45° E. 14.76 rods; thence north 8° east 21.04 rods; thence north 55° west 16.36 rods; thence north 68° west 4 rods on the east side of Pina Creek; thence crossing said Pina north $89\frac{3}{4}^{\circ}$ west 47.9 rods to the beginning, containing in said exception thirty two (32) acres, three (3) roods and fifteen and two tenths (15.2) perches, be the same more or less, and containing after said exception seventy seven (77) acres and twenty five (25) perches, more or less.

The above described premises were conveyed by Jefferson Phillips and Ruhama Phillips, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12600 dated the 13th day of April, 1903, and recorded in volume 145, page 77, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 75 (2-8) WASHINGTON TOWNSHIP

Being the undivided one fifth interest in the following described premises, to-wit:

Being all the No. 8 or Pittsburg vein of coal underlying the following premises:

The east half of the west half of the southwest quarter of Section 33, Township 5, Range 4, containing 40 acres, more or less. Also all that part of the east half of said southwest quarter, situate and being on the west side of Wildcat Run, the meanderings thereof to be the line, containing 30 acres, more or less.

The above described premises were conveyed by William S. Poulson, Guardian of Lyman B. Poulson (a minor) to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 12568, dated the 11th day of April, 1903, and recorded in volume 145, page 14 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 76 (9) WAYNE TOWNSHIP

Being the middle part of Section one (1) Township six (6) and Range five (5) beginning for the same at the center of the section; thence south $2\frac{1}{2}^{\circ}$ west 10 chains to a stone; thence north $87\frac{1}{2}^{\circ}$ west parallel with the quarter section line 29.90 chains to a stone in the section line; thence south $2\frac{1}{2}^{\circ}$ west 11.88 chains to a stone; thence south $49\frac{1}{2}^{\circ}$ east 12.58 chains to a stone set by surveyor DeHass in 1840, witness a white oak 15 inches south 45° east distance 9 links and a White Oak 16 inches south 89° west distance 6 links; thence south $87\frac{1}{2}^{\circ}$ east 90 chains to a stone; thence south $2\frac{1}{2}^{\circ}$ west 10.05 chains to a stone in the section line; thence south $87\frac{1}{2}^{\circ}$ east 11.63 chains to the center of the B.Z & C.R.R.; thence with said road north 23° east 3.81 chains; north $18\frac{1}{4}^{\circ}$ east 5.21 chains; north $24\frac{1}{4}^{\circ}$ east 4.32 chains; north $73\frac{1}{4}^{\circ}$ west 18.29 chains to the east side of orchard; thence north $63\frac{1}{4}^{\circ}$ west 5.94 chains; thence north $58\frac{3}{4}^{\circ}$ west 4.38 chains to a Locust tree 6 inches; thence north 57° east 1.54 chains to a stake in the county road; thence with said road north 32° east 1.80 chains; north 36° east 5.59 chains north 44° east 2.27 chains; north $55\frac{1}{2}^{\circ}$ east 1.79 chains; north $38\frac{1}{2}^{\circ}$ east 4.50 chains to a stake, witness a red oak 15; north 40° east 90 $\frac{1}{2}$ links; thence north $2\frac{1}{2}^{\circ}$ east 22 chains; north $87\frac{1}{2}^{\circ}$ west 9.68 chains to the place of beginning, containing 112 acres, more or less.

The above described premises were conveyed by Margaret A. Moore, unmarried, to Peter M.

acre, and leaving after said exception sixty four and eighty five hundredths (64 85/100) acres.

Second Tract: Being a part of the northeast quarter of Section Twenty five in Township five of Range four in the District of Lands heretofore subject to sale at Marietta, Ohio; beginning for the same 10 rods west of the northeast corner of said Section twenty five at a stone in a run; thence up said run following the road, making the middle of the road the line, south 61 1/2° west 18.16 rods; thence south 68° west 11.28 rods to a small drain; thence north 74° west 23.80 rods; thence south 88° west 16 rods; thence north 49 1/2° west 9.88 rods to a stone at the corner of the cemetery fence on the section line between sections Twenty five and Twenty six; thence east 73.92 rods to the place of beginning, containing three and one-fourth (3 1/4) acres; and containing in all sixty eight and ten hundredths (68.10) acres.

The above described premises were conveyed by Matthias N. Gates and Ida L. Gates, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12979, dated the 12th day of May, 1903, and recorded in volume 143, page 294, of the Deed Records of Belmont County, Ohio, in which deed said Grantor, Matthias N. Gates, conveyed to said grantees, their heirs and assigns, all the No. 8 coal which he owned in said Sections 25 and 26.

PARCEL NO. 83 (62) WASHINGTON TOWNSHIP

Known as and being the northwest quarter of the southwest quarter of Section thirty two, Township five, of Range four in the District of Lands sold at Marietta, Ohio, containing forty acres, more or less.

The real estate aforesaid was devised to said Leora Perkins by the will of Elias Perkins, deceased, which will is recorded in volume 18, page 363, Record of Wills of Belmont County, Ohio.

The above described premises were conveyed by Leora Perkins and Catherine Perkins to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12878, dated the 5th day of May, 1903, and recorded in volume 145, page 289 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 84 (70) WASHINGTON TOWNSHIP

Being six acres off the north end of the southeast quarter of the northwest quarter of section thirty one, in Township five of Range four, in the District of Lands heretofore subject to sale at Marietta, Ohio; beginning for the same at the northwest corner of said quarter quarter; thence east to the north and south center line of said section; thence south twelve poles; thence west to the north and south center line of said quarter section; thence north twelve poles to the place of beginning, containing six acres; subject, however, to the right of way and whatever other rights the Ohio River & Western Railway Company has in said tract of land.

The above described premises were conveyed by John Moore et al to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13146, dated the 2nd day of May, 1903, and recorded in Volume 145, page 433 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 85 (72) WASHINGTON TOWNSHIP

First Tract: The west half of the northwest quarter of section nineteen (19) township five (5) range four (4) containing eighty acres, three roods and twenty nine perches.

Second Tract: The southwest quarter of the southwest quarter of Section twenty (20) township five (5) Range four (4) containing forty acres and twenty four perches.

Third Tract: The southeast quarter of the southwest quarter of section twenty (20) township five (5) Range four (4) containing forty acres and twenty two perches.

The above described premises were conveyed by Thomas J. Pugh and Susanna Pugh, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 15654, dated the 17th day of June, 1904, and recorded in volume 149, page 316, of the Deed Records of Belmont County, Ohio.

PARCEL NO. 86 (1-73) WASHINGTON TOWNSHIP

The undivided one-sixth interest in the following premises: First Tract: The northwest

quarter of the northeast quarter of Section 26, Township 5 of Range 4, EXCEPTING therefrom 10 acres heretofore conveyed by Gratigny Stukey and wife to John Wright, bounded and described as follows: Beginning at the southeast corner of the said quarter quarter; thence north 40 rods to a stone; thence west 40 rods to a stone; thence south 40 rods to a stone; thence east 40 rods to the place of beginning, containing in said exception 10 acres, and leaving in said first tract after said exception thirty acres, more or less.

Second Tract: The south half of the southeast quarter of Section 27, Township 5, of Range 4, containing 79 acres, more or less.

Third Tract: Being 14 acres, more or less, situated on the south side of the north half of the southeast quarter of Section 27, beginning at the northeast corner of south half of said quarter on the section line; thence north 8 1/4 rods; thence west 20 rods to the mouth of a small run; thence up said run following its meanderings to its source, to a sugar tree; thence west to the west boundary line of said quarter section; thence south 14.4 rods to the middle of said boundary line; thence east through the middle of said quarter section to the place of beginning, and containing in all the three above described tracts 123 acres, more or less.

The above described premises were conveyed by Mary Stukey, unmarried, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13633, dated the 19th day of August, 1903, and recorded in volume 147, page 226 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 87 (2-73) WASHINGTON TOWNSHIP

The undivided five-sixths interest in the following described premises:

First Tract: The northwest quarter of the northeast quarter of section 26, Township 5, of Range 4, EXCEPTING Therefrom ten acres heretofore conveyed by Gratigny Stukey and wife to John Wright, bounded and described as follows: Beginning at the southeast corner of the said quarter quarter; thence north 40 rods to a stone; thence west 40 rods to a stone; thence south 40 rods to a stone; thence east 40 rods to the place of beginning, containing in said exception Ten acres, and leaving in said first tract thirty acres, more or less.

Second Tract: The south half of the southeast quarter of Section 27, Township 5 of Range 4, containing seventy nine acres, more or less.

Third Tract: Being 14 acres, more or less, situated on the south side of the north half of southeast quarter of Section 27, beginning at the northeast corner of south half of said quarter of the section line; thence north 8 1/4 rods; thence west 20 rods to the mouth of a small run; thence up said run following its meanderings to its source to a sugar tree; thence west to the west boundary line of said quarter section; thence south 14.4 rods to the middle of said boundary line; thence east through the middle of said quarter section to the place of beginning, containing in the three above described tracts 123 acres, more or less.

The above described premises were conveyed by Winfield Moore, Administrator of the Estate of Gratigny Stuky, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13635, dated the 21st day of August, 1903, and recorded in volume 147, page 231 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 88 (76) WASHINGTON TOWNSHIP

First Tract: Being a part of the northeast quarter of the northeast quarter of Section twenty six (26) of Township five (5) of Range four (4) in the District of Lands formerly subject to sale at Marietta, Ohio; beginning for the same at a stone at the northwest corner of said quarter quarter; thence east two rods; thence south 32° east 27 1/2 rods to a stone; thence south 45° west 25 rods to a stone; thence north 40 rods to the place of beginning, containing two (2) acres and thirty three (33) poles, be the same more or less.

Second Tract: Being a part of the northwest quarter of the northeast quarter of Section twenty six (26) in Township five (5) of Range four (4) in the District of Lands formerly subject

to sale at Marietta, Ohio; beginning for the same at the southeast corner of said quarter quarter; thence north forty (40) rods to a stone; thence west forty (40) rods to a stone; thence south forty (40) rods to a stone; thence east forty (40) rods to the place of beginning, containing ten acres more or less.

The above described premises were conveyed by Ada W. Crooks and George W. Crooks, her husband, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 13634, dated the 22nd day of July, 1903, and recorded in volume 147, page 228 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 89 (78) WASHINGTON TOWNSHIP

Known as and being the northeast quarter and the north half of the southeast quarter of the southwest quarter of section twenty six (26) Township five (5) Range Four (4) in the Marietta District of Lands, together with a part of the west half of the aforesaid southwest quarter of Section twenty six, beginning for the same at the southwest corner of said quarter section running east 4 perches and 4 links to a post in the east bank of Crabapple Creek; thence north 2° east 61 perches to a post, thence north 34° east 21 perches to a post; thence north 38.5° east 7 perches and three links to a post; thence east 58 perches to a post at the east side of said half quarter; thence north to the northeast corner of said half quarter; thence west to the section line at the quarter stake; thence south to the place of beginning, which will include the west side and the north end of said half quarter, containing in all ninety-nine acres.

Also the northeast quarter of the northwest quarter and the northwest quarter of the northeast quarter of section thirty two (32) and the southwest quarter of the southeast quarter of Section thirty three (33) Township five (5) Range four (4) Belmont County, Ohio, containing one hundred and twenty acres.

Containing in all two hundred and nineteen (219) acres, more or less, and being the same premises of which Samuel Danford died seized.

The above described premises were conveyed by Dewitt Danford et al, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 12729, dated the 9th day of April, 1903, and recorded in volume 145, page 199 of the Deed Records of Belmont County, Ohio.

PARCEL NO. 90 (1-92) WAYNE TOWNSHIP

First Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio, and being a part of the southeast quarter of Section 29, Township 6, Range 5, beginning for the same at the northeast corner of said quarter section; running thence south 59 poles; thence west 81.5 poles; thence north 59 poles; thence east 81.5 poles to the place of beginning, containing 30 acres, more or less.

Second Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio, and known as and being part of the southwest quarter of Section 23, Township 6, Range 5, beginning for the same at the south west corner of said section, by the schoolhouse; thence north with the section line 163 poles to the quarter section corner; thence east 82 poles to a stake near a large White Oak; thence south 81.10 poles to a stake; thence west 20.92 1/2 poles to a stake; thence south 82 poles to a corner; thence west 61.11 1/2 poles to the place of beginning, containing 72 acres, three rods and 13 1/2 poles.

Third Tract: Situated in the Township of Wayne, County of Belmont and State of Ohio, and being a part of the southeast quarter of Section 29, Township 6, Range 5, beginning for the same 59 rods south of the northwest corner of the northeast quarter of the southeast quarter of said section; running thence south 85 1/2° E. 456 feet; thence south 32 1/2° W. 197.5 feet; thence S. 38 1/2° W. 436 feet to the middle of the Public Road; thence with said road north 48° W. 163 feet; thence leaving said road N. 4-1/2° E. 412 feet to the place of beginning, containing 3-1/2 acres.

The above described premises were conveyed by Margaret Wilcox, Administratrix of the Estate of Jacob Wilcox, deceased, to Michael Gallagher, by deed of conveyance No. 14835, dated the 23rd day of January, 1904, and recorded in volume 143, page 497, of the Deed Records of Belmont County, Ohio; and subsequently conveyed by Michael Gallagher and Sarah L. Gallagher, husband and wife, to Peter M. Hitchcock and William D. Rees, by deed of conveyance No. 14878, dated the 27th day of February, 1904, and recorded in volume 148, page 497, of the Deed Records of Belmont County, Ohio; also by Margaret Wilcox (widow of Jacob Wilcox, deceased) to Peter M. Hitchcock and William D. Rees by quit claim deed No. 14874, dated the 26th day of February, 1904, and recorded in volume 148, page 493, of the Deed Records of Belmont County, Ohio, which last two mentioned deeds also conveyed the rights, privileges, options and property set forth in the said deed of Margaret Wilcox, as Administratrix of Jacob Wilcox, deceased, to Michael Gallagher, first above mentioned.

A portion of the aforesaid premises were quit claimed by Mary J. Thomas, unmarried, to Peter M. Hitchcock and William D. Rees by deed No. 14987, dated the 22nd day of February, 1904, and recorded in volume 148, page 517 of the deed records of Belmont County, Ohio, said deed having been executed and delivered for the purpose of correcting an error in a certain deed of Samuel Thomas to Jacob Wilcox dated March 7, 1866, in which "southeast quarter" is written instead of "southwest quarter."

PARCEL NO. 91 (93) WASHINGTON TOWNSHIP.

Known as and being a part of the northeast quarter of the southwest quarter of Section Thirty-one (31) in Township Five (5) of Range Four (4), in the District of Lands formerly subject to sale at Marietta, Ohio, beginning for the same at the northeast corner of said quarter quarter; thence south with the east line of said quarter section seventy-nine and a half (79 1/2) poles; thence west sixty and a half (60 1/2) poles; thence north seventy-nine and a half (79 1/2) poles; thence east sixty and a half (60 1/2) poles; to the place of beginning. Containing thirty acres, more or less.

The above described premises were conveyed by Joshua Phillips and Hannah Phillips, husband and wife, to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 14150 dated the 12th day of September, 1903 and recorded in Volume 148, page 32 of the Deed Records of Belmont County, Ohio.

Together with all the easements, options, mining rights, other rights and privileges granted by and described in each of the deeds of conveyance from the respective grantors thereof to Peter M. Hitchcock and William D. Rees conveying the foregoing parcels number 1 to 91 inclusive (such deeds being referred to at the conclusion of the description of each parcel) and subject to the limitations, reservations and restrictions in said deeds contained, reference to which deeds is hereby made the same as if set forth at length herein; and together with all other easements, options, mining rights and other rights and privileges with respect to said Parcels 1 through 91 which Grantor now has.

★ The foregoing 91 parcels of coal, together with the appurtenant easements, options, mining rights, other rights and privileges are the same parcels of coal which were acquired by the Grantor, Berkshire Farm, Inc., by the following deeds of conveyance:

1. Deed from C. W. Hitchcock, et al. executors of the last will and testament of Reuben Hitchcock, deceased, and C. W. Hitchcock, Lawrence Hitchcock and H. Morley Hitchcock, individually to Berkshire Farm Inc. dated June 24, 1932, filed for record August 5, 1932, File No. 17902, and recorded in Volume 288, Page 370, Records of Deeds of Belmont County, Ohio.

2. Deed from C. W. Hitchcock, et al., as executors of the last will and testament of Reuben Hitchcock, deceased, to Berkshire Farm, Inc., for an undivided one-eighth (1/8) interest in fifty acres, more or less, of coal land in Monroe County, filed for record July 5, 1932, File No.

59780, and recorded in Volume 102, Page 511, Deed Records, Monroe County, Ohio.

3. Deed from C. W. Hitchcock, Lawrence Hitchcock and H. Morley Hitchcock for an undivided three-eighths (3/8) interest in fifty acres, more or less, of coal land in Monroe County, dated June 24, 1932, File No. 59781, filed for record July 5, 1932, recorded in Volume 102, page 513, Deed Records of Monroe County, Ohio.

BLOCK 2

The following described premises situated in the Township of Washington, County of Belmont and State of Ohio and known as part of Section No. Twenty-six (26), Township Five (5), Range Four (4), bounded and described as follows:

Beginning for the same at the northeast corner of the southwest quarter of the northwest quarter; thence with east boundary line of said quarter quarter to the southeast corner of said quarter quarter; thence west with the south boundary line of said quarter quarter to the center of Crabapple Creek; thence down said Creek with the meanders thereof and in the middle thereof to the north boundary of said quarter quarter; thence east with the north line of said quarter quarter to the place of beginning. Containing twenty-six (26) acres, be the same more or less, but subject to all legal highways, any railroad rights-of-way and any oil or gas leases.

The aforesaid premises having been conveyed by DeWitt Danford to Peter M. Hitchcock and William D. Rees by deed of conveyance No. 12728 dated the 13th day of April, 1903, and recorded in Volume 144, Page 272 of the Deed Records of Belmont County, Ohio.

The foregoing 26 acres were acquired by the Grantor, Berkshire Farm, Inc., by the following deeds of conveyance:

1. Deed from C. W. Hitchcock, et al., as executors of the estate of Reuben Hitchcock, deceased, to Berkshire Farm, Inc., of an undivided one-eighth (1/8) interest in said 26 acres dated June 24, 1932, filed August 5, 1932, File No. 17899, recorded in Volume 289, page 176, Deed Records of Belmont County, Ohio.

2. Deed from C. W. Hitchcock, Lawrence Hitchcock and H. Morley Hitchcock, individually, to Berkshire Farm, Inc., of an undivided three-eighths (3/8) interest in said 26 acres, dated June 24, 1932, filed for record August 5, 1932, File No. 17898, and recorded in Volume 289, page 175, Deed Records of Belmont County, Ohio.

★ Together with (with respect to all of the above described 91 parcels of coal (Block 1) and said 26 acres (Block 2)) all and singular the improvements, ways, waters, water courses, rights, liberties, privileges, covenants, easements, licenses, hereditaments and appurtenances whatsoever thereunto belonging or in any wise appertaining and the reversions and remainders, rents, issues and profits thereof and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor in law, equity or otherwise, however of, in and to the same and every part thereof, as described in and granted by the aforesaid deeds to Berkshire Farm, Inc.

To have and to hold the above granted and bargained premises with the appurtenances thereunto belonging unto the said Grantee, its successors and assigns forever.

And the said grantor does for itself and its successors and assigns covenant with the said Grantee, its successors and assigns, that said premises are free and clear of all encumbrances whatsoever, by, from, through or under Peter M. Hitchcock, Charles W. Hitchcock, Lawrence Hitchcock, Reuben Hitchcock, H. Morley Hitchcock, Berkshire Farm, Inc., or the executors, administrators, successors and assigns of the foregoing individuals and corporation, except (a) the rights and reservations retained by the respective grantors in said deeds to Peter M. Hitchcock and William D. Rees (b) taxes and assessments not yet due and payable, and (c) all legal highways, and that the said Grantor will forever warrant and defend the premises with the appurtenances thereunto belonging to the said grantee, its successors and assigns forever, against all lawful claims and demands whatsoever of all persons claiming by, from, through or under Peter M. Hitchcock,

Charles W. Hitchcock, Lawrence Hitchcock, Reuben Hitchcock, H. Morley Hitchcock, Berkshire Farm, or the executors, administrators, successors and assigns of the foregoing individuals and corporation except as aforesaid.

IN WITNESS WHEREOF, The said Berkshire Farm, Inc., has hereunto caused its corporate name to be signed and its corporate seal to be affixed by C.W. Hitchcock, its President and M.F. Walter, its Assistant Secretary, pursuant to a resolution of its Board of Directors authorizing the execution and delivery of this Limited Warranty Deed, this 31st day of January, A.D. 1949.

Signed, sealed and acknowledged in the presence of:

R.B. Anderson
Trafton M. Dye (CORPORATE SEAL)
BERKSHIRE FARM, INC.,
By C.W. Hitchcock
C.W. Hitchcock, President
By M.F. Walter
M.F. Walter, Assistant Secretary

STATE OF OHIO, CUYAHOGA COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared the above named Berkshire Farm, Inc., by C.W. Hitchcock, its President and M.F. Walter, its Assistant Secretary, who acknowledged that they did as such officers sign the foregoing instrument and hereunto affix the corporate seal of said corporation, and that the same is the act and deed of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Cleveland, Ohio, this 31st day of January, A.D. 1949.

Trafton M.Dye, Notary Public (LS)
Trafton M.Dye, Notary Public, My
commission expires February 4, 1951

Mail tax bills to Grantee, The Youghiogheny and Ohio Coal Company whose last known address is 330 Hanna Building, Cleveland, 15, Ohio.

Grantor claims title through instruments recorded in volume 288 page 370; volume 289, page 176; and volume 289 page 175, Deed Records of Belmont County, Ohio, and in volume 102, page 511 and volume 102 page 513, Deed Records of Monroe County, Ohio.

RECEIVED
B. F. Inc.
212.30

Received for Record February 15, 1949 at 3:20 o'clock P.M.

Recorded March 3, 1949

L. W. Purdy RECORDER

05 No. 43121 Transfer not necessary
2/16/49

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That John T. Walker, Edna Walker and Elizabeth Walker, the Grantor's of the Village of St.Clairsville, County of Belmont and State of Ohio in consideration of the sum of one dollar (\$1.00) and other valuable considerations, to them paid by Albert A. Mills, Jr., the Grantee, of the village of St. Clairsville, County of Belmont and State of Ohio, the receipt whereof is hereby acknowledged, do hereby Remise, Release and forever quit claim the said Grantee, their heirs and assigns forever, the following Real Estate, situated in the County of Belmont in the State of Ohio, and in the Village of St.Clairsville and bounded and

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION

ATTACHMENT 14C
(WELL/SPRING INVENTORY)

Applicant's Name American Energy Corporation (Pea Vine Shaft)

Well/Spring Identification Number	Name of Owner of Well/Spring	Surface Elevation of Well/Spring	Depth of Well in Feet Below Land Surface	Static Water Level of Well in Feet Below Land Surface	Lithology of Supplying Aquifer/ Waterbearing Zone	Known Uses of Well/Spring (if spring give discharge rate)
S-1B	R. Sr. & S. Reger	1000	N/A	N/A	A	NONE / <1 GPM

**OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION**

**ATTACHMENT 14A
(HYDROLOGIC MEASUREMENTS AND ANALYSES)**

APPLICANT AMERICAN ENERGY CORP.

(PEAVINE SHAFT)

1	Identification No. of Sampling Station from Hydrology Map	U-1B	D-1B	U-2B	D-2B		
2	Identification Number	03-04-263	03-04-264	03-04-265	03-04-266		
3	High (H)/Low (L) Intermediate (I) Designation (if applicable)	SUPPLEMENTAL					
4	Surface Elevation for Sampling Station (msl)	1000	975	1000	975		
5	Depth of Well Below Land Surface (feet)	---	---	---	---		
6	Static Water Level of Well Below Land Surface (feet)	---	---	---	---		
7	Flow for Spring and Stream (gpm or cfs)	2.2 gpm	6.4 gpm	4.5 gpm	11 gpm		
8	Date Above Measurements Made	04-01-03	04-01-03	04-01-03	04-01-03		
9	Aquifer/Zone Identification For Well/Spring	---	---	---	---		
10	pH (Standard Units)	7.63	7.68	7.83	7.77		
11	Total Acidity (mg/l CaCO ₃)	13.80	12.60	11.00	11.40		
12	Total Alkalinity (mg/l CaCO ₃)	125.60	126.60	122.00	121.00		
13	Specific Conductivity (umhos/cm at 25° C)	377	370	364	352		
14	Total Dissolved Solids (mg/l)	--	--	---	---		
15	Total Manganese (mg/l)	0.02	0.02	0.02	0.02		
16	Total Sulfates (mg/l)	48.0	44.0	42.0	43.0		
17	Total Iron (mg/l)	0.20	0.07	0.08	0.06		
18	Total Suspended Solids (mg/l)	18.0	8.0	10.0	8.0		
19	Total Hardness (mg/l as CaCO ₃)	168.00	164.00	168.00	164.00		
20	Nitrates	---	---	---	---		
21	Date Sampled for Analysis	04-01-03	04-01-03	04-01-03	04-01-03		
22	Date Last Precipitation Event Occurred	03-31-03	03-31-03	03-31-03	03-31-03		

Laboratory Name INDUSTRIAL LAB ANALYSIS, INC.Address 2240 WILLIAMSBURG DRIVEState WEST VIRGINIACity GLEN DALEZip 26038

NOTE: If information required by items 5, 6, and 9 is unobtainable, submit as an addendum to Attachment 14A a statement giving the reasons why the information is unobtainable.

NOTE: For each sample provide data for either item 13 or 14.

**OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION**

**ATTACHMENT 14D
(SURFACE WATER BODIES/PUBLIC WATER SUPPLIES)**

Applicant's Name AMERICAN ENERGY CORPORATION (PEAVINE SHAFT)

Surface Water/ Public Supply Identification #	Type of Surface Water/Public Supply	Name of Owner of Surface Water/ Public Supply	Known Uses of Surface Water/ Public Supply
U-1B TO D-1B	INTERMITTENT STREAM	SEE MAP	NONE
U-2B TO D-2B	INTERMITTENT STREAM	SEE MAP	NONE

TABLE 5.--YIELDS PER ACRE OF CROPS AND PASTURE--Continued

Soil name and map symbol	Corn	Winter wheat	Oats	Grass- legume hay	Alfalfa hay	Pasture
	<u>Bu</u>	<u>Bu</u>	<u>Bu</u>	<u>Ton</u>	<u>Ton</u>	<u>AUM*</u>
DkE----- Dekalb	---	---	---	---	---	4.0
DmF----- Dekalb	---	---	---	---	---	---
Dp, Ds. Dumps						
DuB----- Duncannon-Urban land	---	---	---	---	---	---
EbB----- Elba	100	45	60	4.5	4.7	7.0
EbC----- Elba	95	40	55	4.0	4.5	6.0
EbD----- Elba	85	35	50	3.8	4.2	5.8
EbE----- Elba	---	---	---	---	---	4.0
ElB----- Elkinsville	120	48	70	4.0	4.5	6.0
ElC----- Elkinsville	110	44	65	3.6	4.3	5.8
ElD----- Elkinsville	90	36	60	3.0	4.0	4.5
FbB, FbD----- Fairpoint	---	---	---	---	---	3.0
FcB----- Fairpoint	---	25	45	2.5	---	4.0
FcD----- Fairpoint	---	20	40	2.0	---	3.0
FtA----- Fitchville	110	38	60	4.3	---	6.5
He----- Hartshorn	100	40	60	4.0	---	6.0
LeB----- Lowell	110	40	65	4.0	5.0	6.0
LeC----- Lowell	100	35	60	3.7	4.8	5.8
LeD----- Lowell	90	30	55	3.5	4.5	5.5
LeE----- Lowell	---	---	---	---	---	4.0
LeF----- Lowell	---	---	---	---	---	---
LoB----- Lowell-Westmoreland	110	38	70	3.8	4.8	5.8
LoC----- Lowell-Westmoreland	100	35	63	3.4	4.4	5.5
Lowell-Westmoreland	90	30	58	3.3	4.3	5.0

See footnote at end of table.

TABLE 5.--YIELDS PER ACRE OF CROPS AND PASTURE--Continued

Soil name and map symbol	Corn	Winter wheat	Oats	Grass- legume hay	Alfalfa hay	Pasture
	Bu	Bu	Bu	Ton	Ton	AUM*
LoE----- Lowell-Westmoreland	---	---	---	---	---	4.0
LoF, LpF----- Lowell-Westmoreland	---	---	---	---	---	---
MnB----- Morristown	---	30	50	3.0	---	4.5
MnD----- Morristown	---	25	45	2.5	---	4.0
MnE----- Morristown	---	---	---	---	---	2.0
MoB, MoD----- Morristown	---	---	---	---	---	3.0
MoE, MoF----- Morristown	---	---	---	---	---	---
Ne----- Newark	100	---	---	4.5	---	7.0
Nm----- Newark	---	---	---	---	---	---
Nn----- Newark Variant	90	---	---	4.0	---	6.0
No----- Nolin Variant	135	45	65	4.5	4.5	7.0
Nu----- Nolin Variant-Urban land	---	---	---	---	---	---
OtB----- Otwell	105	47	65	3.6	---	5.8
OtC----- Otwell	75	38	60	3.2	---	5.0
RcC----- Richland	120	40	70	3.5	---	5.8
RcD----- Richland	110	35	60	3.0	---	4.5
RcE----- Richland	---	---	---	---	---	4.0
RhB----- Richland	125	45	75	4.0	---	6.0
Uc----- Udorthents-Pits	---	---	---	---	---	---
Ud----- Udorthents-Urban land	---	---	---	---	---	---
WhB----- Wellston	105	40	70	4.0	4.5	6.0
WhC----- Wellston	100	35	65	4.0	4.5	6.0
WkB----- Westmore	110	40	70	4.5	5.0	7.0

See footnote at end of table.

Addendum to Part 2, Page 20, Item G(8), American Energy Corporation

TO: R. Sr. & S. Reger

FROM: American Energy Corporation

Location of Proposed Permit Area:

County/Twp. Belmont / Washington	Lot/Section 14, 20
----------------------------------	--------------------

The proposed postmining land use (s) for your property is/are checked below:

<input type="checkbox"/> Cropland <input checked="" type="checkbox"/> Pasture Land <input type="checkbox"/> Grazing Land <input type="checkbox"/> Industrial Land Use <input type="checkbox"/> Commercial Land Use <input type="checkbox"/> Developed Water Resources	<input type="checkbox"/> Residential Land Use <input type="checkbox"/> Forest <input type="checkbox"/> Undeveloped Land Use <input type="checkbox"/> Fish & Wildlife <input type="checkbox"/> Recreation land Use
--	---

Pursuant to Ohio Department of Natural Resources, Division of Mines and Reclamation, Ohio Coal Mining and Reclamation Rule 1501:13-4-05(G)(2) of the Ohio Administrative Code, surface owner comments concerning the proposed postmining land use(s) for the proposed permit area are required. Please check the appropriate box below.

<input checked="" type="checkbox"/>	I concur with the proposed postmining land uses identified by the mine operator.
<input type="checkbox"/>	I DO NOT concur with the proposed postmining land uses.

COMMENTS:

<u>Ronald R. Reger</u> SIGNATURE OF SURFACE OWNER	<u>June 3 - 2003</u> DATE
<u>Sara Reger</u> SIGNATURE OF SURFACE OWNER	_____ DATE

Please check each (if any) of the following listed wildlife enhancements that you would be interested in having on your property. **PLEASE NOTE:** Checking a box does not require the operator to provide any or all of selected enhancements. This form is a tool to help landowners better understand options that may be available through the coal company.

<input type="checkbox"/> Tree/Shrub Planting <input type="checkbox"/> Ponds/Wetlands <input type="checkbox"/> Brushpiles <input type="checkbox"/> Rockpiles	<input type="checkbox"/> Small Depressions <input type="checkbox"/> Perching/Nesting Structures <input type="checkbox"/> Other: <input type="checkbox"/> Other:
--	--

WAIVER STATEMENT (Optional for Surface Owner): I, the above named surface owner, waive my right to comment on any revision to the permit application during the application review process that results in a change in the postmining land use(s) from those shown above. (NOTE: I DO NOT WAIVE MY RIGHT TO COMMENT ON ANY PROPOSED POSTMINING LAND USE CHANGE AFTER PERMIT ISSUANCE.)

_____ SIGNATURE OF SURFACE OWNER	_____ DATE
_____ SIGNATURE OF SURFACE OWNER	_____ DATE

Addendum To Part 2, Page 20, G(11), American Energy Corporation

NOTIFICATION OF LAND USE CHANGE

TO: U.S. Fish and Wildlife Division of Wildlife
Division of Ecological Services Building C-4
6950-H Americana Parkway Fountain Square
Reynoldsburg, Ohio 43068 Columbus, Ohio 43224

Note: This form is to be completed only if a land use change is to occur.

1. Is a copy of the coal mine permit application currently on file with the Division of Reclamation? ☒ Yes, ☐ No.
2. Coal mine permit application no. N/A
3. Application to revise permit no. D-0425
4. Other: permit no. _____ address the status of this permit:
5. Applicant American Energy Corporation
Address 43521 Mayhugh Hill Road
City Beallsville State Ohio Zip 43716
6. Application Location
County Belmont Township Washington
Section 14, 20, Lot N/A Acres 1.7
Township 5 Range 4 Quadrangle Cameron
7. Pre-mining Land Use
Residential & Undeveloped
8. Post-mining Land Use
Pastureland
9. Revegetation Plan (SPECIES AND AMOUNTS)

8 LBS/AC. ORCHARD GRASS	10 LBS/AC. RED CLOVER
7 LBS/AC. ALFALFA	10 LBS/AC. TIMOTHY
10. Stream Variance Request ☒ Yes, ☐ No. If yes, enclose
A) Copy of Stream Variance Request
B) Percentage of tree cover within 100' buffer zone

Enclose a location map and a copy of the quadrangle map with the mine site highlighted in yellow.

Addendum To Part 2, Page 20, Item G(11)
American Energy Corporation

Pre-Mining Land Use: Undeveloped Land & Residential Land

Post Mining Land Use: Pasture Land

RULE 1501:13-9-17(D) (1-6)

1. This proposed land use is compatible with the adjacent land uses which primarily consist of pastureland and undeveloped land. There are no existing local, state or federal land use policies or plans for the area. A notification of the land use change has been mailed to U.S. Fish & Wildlife and to the Division of Wildlife. No zoning or other changes will be required for this land use change.
2. Based on soil types in the area, the plan is feasible. For a schedule showing how the proposed use will be developed and achieved within a reasonable time, see the planting schedule in Part 3 of this permit application.
3. There are no public facilities required for the proposed land uses.
4. The proposed land use will neither present actual or probable hazard to public health or safety, nor will they pose any actual or probable threat of water flow diminution or pollution.
5. The proposed land use will not change the reclamation schedule for this permit application.
6. The proposed land use should not have any adverse effects on fish and wildlife. An opportunity to comment has been provided to the appropriate State and Federal Fish and Wildlife Management Agencies. The notification of land use change was mailed to the U.S. Fish and Wildlife and The Division of Wildlife.

NOTE: The pre-mining land use will remain on all areas in which the surface has not been disturbed.

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION

ATTACHMENT 16
(NEGATIVE DETERMINATION OF PRIME FARMLAND)

Applicant's Name American Energy Corporation

This attachment is to be completed and submitted with the permit application if the applicant is demonstrating that the permit area or a portion of the permit area is not prime farmland. Check (✓) the appropriate item numbers and attach the documents used to make the demonstration.

- ☐ 1. Lands within the proposed permit area have not been historically used for cropland.
- ☐ 2. The slope of the land within the proposed area is greater than eight percent.
- ☒ 3. On the basis of a second order soil survey meeting the standards of the National Cooperative Soil Survey, there are no soil map units within the proposed permit area (that will be disturbed) have been designated prime farmland by the U.S. Soil Conservation Service.
- ☐ 4. On the basis of a first order soil survey commissioned by the applicant and meeting the standard of the National Cooperative Soil Survey, there were found to be no prime farmland map units as designated by the S.C.S. within the proposed permit area (See Attachment 15, item 2 for 1st order survey criteria).

U.S. Department of Agriculture
Natural Resources Conservation Service

OH-CPA-65
Rev. 9/94

Certification of Prime/Nonprime Farmland

Name of Mine Operator American Energy Corporation

Location of Permit Application Area Sections 14 & 20, T-5 R-4, Washington Township, Belmont Co.

Size of Permit Area (Acres) 2.0±

Check Appropriate Block:

1.

☒

I have determined that this permit application DOES NOT contain prime farmland in accordance with the edition of the current county Prime Farmland Map Unit List found in the county Field Office Technical Guide.

2.

☐

I have found that this permit application CONTAINS prime farmland in accordance with the edition of the Prime Farmland Map Units for Ohio and/or the current county Prime Farmland Map Unit List, whichever is more current.

A soil map has been attached and prime units are as follows:

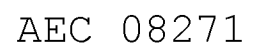
Soil Map Symbol

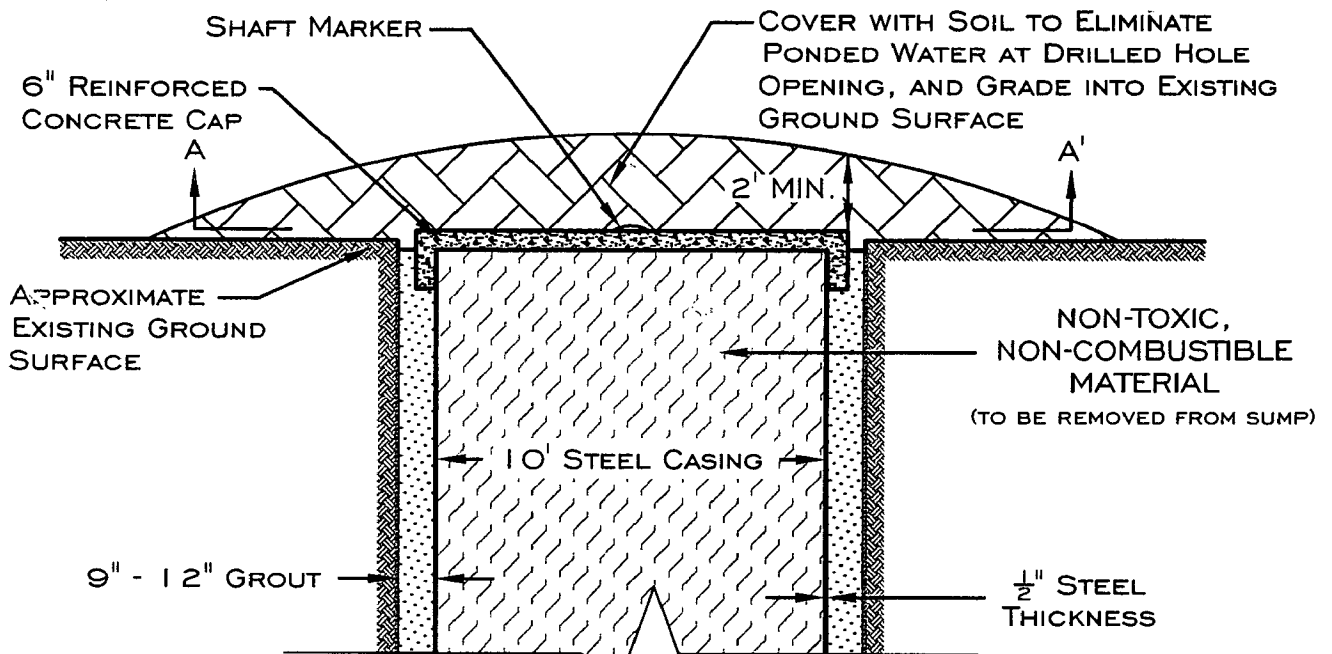
Map Unit Name

Signature

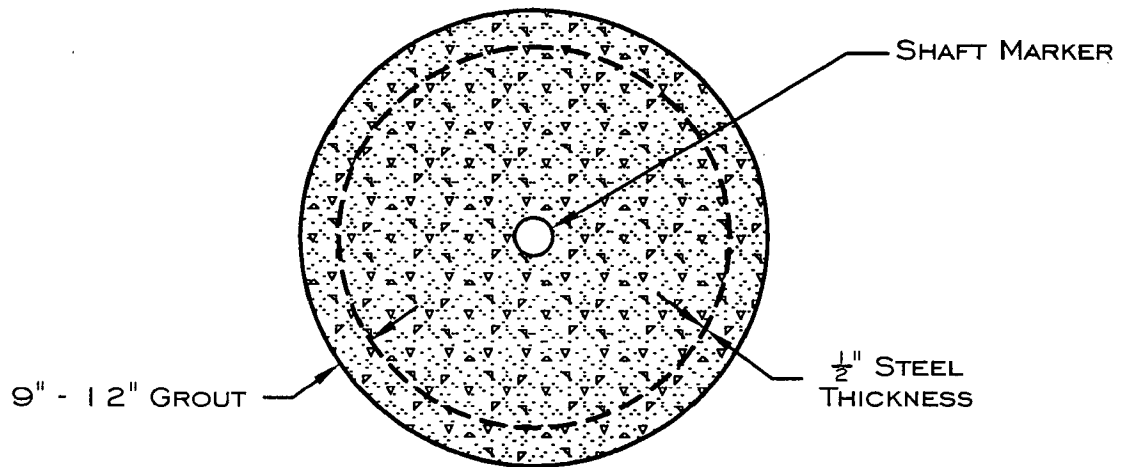
Jeffrey P. Bettinger

Jeffrey P. Bettinger, Natural Resources Conservation Service
1119 East Main St., Barnesville, OH 43713, (740) 425-1100

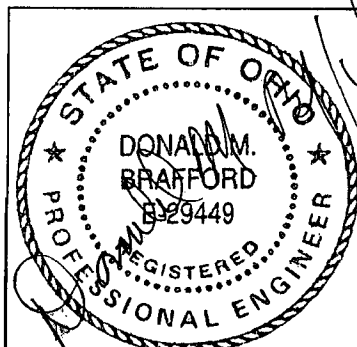




PLAN VIEW



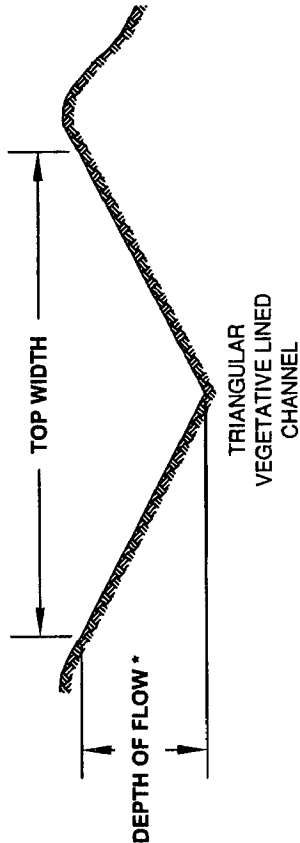
SECTION A-A'



ADDENDUM TO PART 3, PAGE 25, ITEM D(9)		
BOREHOLE RECLAMATION DETAIL		
Applicant: AMERICAN ENERGY CORPORATION		
Permit Number: D-0425 (PEA VINE SHAFT)		
Township: WASHINGTON	County: BELMONT	
Section: 14	T-5N; R-4W	Scale: 1" = 5'
Date: 03/07/03	Date Revised:	Comm #02001-S
		342 High St., Box 471 Flushing, Ohio 43977 Ph: (740) 968-4947 Fax: (740) 968-4225 e-mail: hamilton@1st.net www.hamiltonandassoc.com

OVERLAND FLOW DITCHES

Diversion Ditch	Length (feet)	Area (acres)	Design Storm	Design (cfs)	Slope (%)	Sideslope	Flow Depth (feet)	Bottom Width (feet)	Top Width (feet)	Velocity (ft/s)	Cover Type
DD 22A	216.0	0.7	10y / 24h	0.7	1.0	2.0	2.0	N/A	8.0	0.7	Vegetative
DD 22B	411.0	2.4	10y / 24h	2.4	1.0	2.0	2.0	N/A	8.0	1.1	Vegetative



* INCLUDES 0.3 FEET FREEBOARD

ADDENDUM TO PART 3, PAGE 27, ITEM G(1)

DIVERSION DITCH DESIGN COMPUTATION SHEET

Applicant: AMERICAN ENERGY CORPORATION

Permit Number: D-0425 (PEA VINE SHAFT)

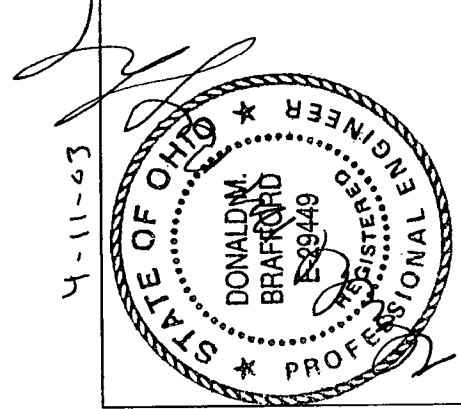
Township: WASHINGTON County: BELMONT

Sections: 20 & 14 T-5N; R-4W Scale: AS NOTED

Date: 4/02/03 Date Revised: Comm #02001-S

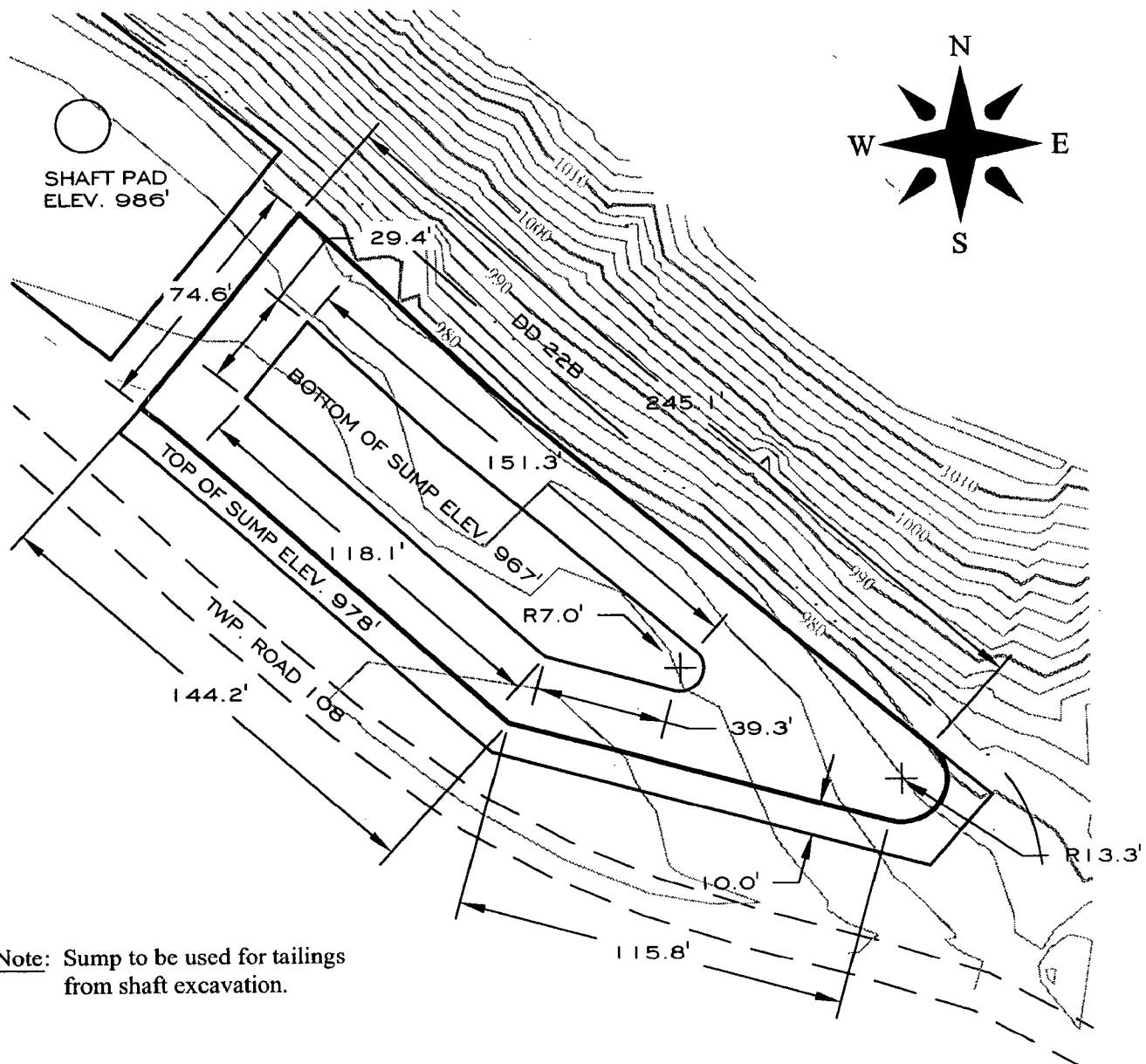
342 High St., Box 471
Flushing, Ohio 43977
Ph: (740) 968-4947
Fax: (740) 968-4225
e-mail: hamilton@1st.net
www.hamiltonandassoc.com

HAMILTON
Jack L. & Associates, Inc.



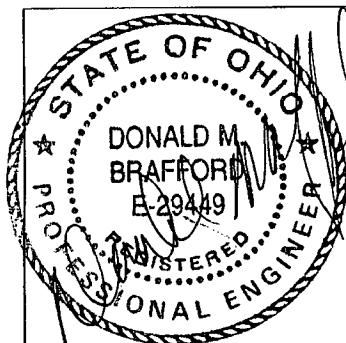
NOTE:

COMPUTER PROGRAM USED: SEDCAD 4.0
CURVE NUMBER USED: 73



Note: Sump to be used for tailings
from shaft excavation.

Contour Interval = 2'



Addendum Part 3, Page 27, Item G(4)		
SUMP PLAN VIEW		
Applicant: AMERICAN ENERGY CORPORATION		
Permit Number: D-0425 (PEA VINE SHAFT)		
Township: WASHINGTON	County: BELMONT	
Section: 14	T-5N; R-4W	Scale: 1" = 50'
Date: 04/02/03	Date Revised:	Comm #02001-S
342 High St., Box 471 Flushing, Ohio 43977 Ph: (740) 968-4947 Fax: (740) 968-4225 e-mail: hamilton@1st.net www.hamiltonandassoc.com		

AEC 08274

Addendum to Part 3, Page 27, Item G(5)
Stream Buffer Zone Variance Request
American Energy Corporation

Chief
ODNR, Division of Mineral Resources Management
1855 Fountain Square Court, Bldg. H-2
Columbus, OH 43224-1383

Dear Chief:

American Energy Corporation is hereby requesting a variance to conduct coal mining activities within the buffer zones of Unnamed Streams "U-1B/D-1B", "U-2B/D-2B" and "Pea Vine Creek", as shown on the enclosed I.B.R. map.

SPECIFIC ACTIVITIES:

Unnamed Stream "U-1B/D-1B"

Activities to be conducted within the buffer zone of Unnamed Stream "U-1B/D-1B" consist of grading, topsoil storage and the construction of over land flow Diversion Ditch DD-22A.

For purpose of description, the beginning point of Unnamed Stream "U-1B/D-1B" is approximately 295 feet north of the northwest corner of the proposed I.B.R. area. Unnamed Stream "U-1B/D-1B" flows in a southerly direction for a distance of approximately 455 feet and discharges into Pea Vine Creek.

Diversion Ditch DD-22A enters the buffer zone at approximate station 1+40, flowing in a northwesterly direction. Approximately, 90 feet of the diversion ditch is located in the buffer zone. Construction of Diversion Ditch DD-22A will take approximately one day. Construction and removal of the diversion ditch will not effect the stream channel. The diversion ditch will be constructed prior to mining activities and will remain in place until all coal resources within the underground mine associated with D-0425 have been exhausted, (possibly 20 years), at which time the buffer zone will be regraded to its pre-mining conditions, topsoil spread, and revegetated. Removal, grading and seeding of the diversion ditch will be done in a timely manner in the first appropriate season after successful vegetation has been established for at least 2 years to prevent post mining effects on the stream. If removal occurs earlier, then Division approval would first be sought and obtained.

The Quantitative Habitat Evaluation Index has not been performed on this stream.

Existing trees and riparian vegetation within the remaining buffer zone will be left intact. Reconstruction of Unnamed Stream "U-1B/D-1B" will not be necessary, the stream channel will not be disturbed.

Unnamed Stream "U-2B/D-2B"

Activities to be conducted within the buffer zone of Unnamed Stream "U-2B/D-2B" consist of grading, the construction of over land flow Diversion Ditch DD-22B, and construction of a sump.

For purpose of description, the beginning point of Unnamed Stream "U-2B/D-2B" is approximately 140 feet northeast of the northeast corner of the proposed I.B.R. area.. Unnamed Stream "U-2B/D-2B" flows in a southerly direction for a distance of approximately 380 feet where it discharges into Pea Vine Creek.

Approximately 40 feet (approximately 0.03 acre) of the east end of the sump will encroach within the buffer zone of Unnamed Stream "U-2B/D-2B". The sump and associated construction limits will be no closer than 45 feet from the stream channel. Construction of the sump will take approximately 2 weeks. Care will be taken to not disturb the remaining buffer zone during construction of the sump. Straw and/or hay bales and silt fence will be utilized during construction to prevent sediment from entering the stream.

When construction of the sump is completed, the disturbed portions of the buffer zone will be revegetated, and will remain undisturbed until all coal resources within the underground mine associated with D-0425 have been exhausted, (possibly 20 years), at which time the buffer zone will be regraded to its pre-mining conditions, topsoil spread, and revegetated.

Diversion Ditch DD-22B is within the buffer zone from approximate station 1+65 to 1+80, flowing in a southeasterly direction. Approximately, 85 feet of the diversion ditch is located within the buffer zone. Construction of Diversion Ditch DD-22B within the buffer zone will take approximately one day. Construction and removal of the diversion ditch will not effect the stream channel. The diversion ditch will be constructed prior to mining activities and will remain in place until all coal resources within the underground mine associated with D-0425 have been exhausted, (possibly 20 years), at which time the buffer zone will be regraded to its pre-mining conditions, topsoil spread, and revegetated. Removal, grading and seeding of the diversion ditch will be done in a timely manner in the first appropriate season after successful vegetation has been established for at least 2 years to prevent post mining effects on the stream. If removal occurs earlier, then Division approval would first be sought and obtained.

The Quantitative Habitat Evaluation Index has not been performed on this stream.

Existing trees and riparian vegetation within the remaining buffer zone will be left intact. Reconstruction of Unnamed Stream "U-2B/D-2B" will not be necessary, the stream channel will not be disturbed.

Pea Vine Creek

Activities to be conducted within the buffer zone of Pea Vine Creek consist of topsoil storage, grading, and the construction of a sump.

For purpose of description, the beginning point of Pea Vine Creek is at the confluence of Unnamed Stream "U-1B/D-1B" and Pea Vine Creek, approximately 50 feet southwest of the proposed I.B.R. area. Pea Vine Creek flows in a southeasterly direction for a distance of approximately 625 feet to the confluence of Unnamed Stream "U-2B/D-2B".

Approximately 0.1 acre of the southern portion of the sump and construction limits will occur within the buffer zone of Pea Vine Creek. The sump and associated construction limits will be no closer than 60 feet from the stream channel. Construction of the sump will take approximately 2 weeks. Care will be taken to not disturb the remaining buffer zone during construction of the sump. Straw and/or hay bales and silt fence will be utilized during construction to prevent sediment from entering the stream.

When construction of the sump is completed, the disturbed portions of the buffer zone will be revegetated, and will remain undisturbed until all coal resources within the underground mine associated with D-0425 have been exhausted, (possibly 20 years), at which time the buffer zone will be regraded to its pre-mining conditions, topsoil spread, and revegetated.

The Quantitative Habitat Evaluation Index has not been performed on this stream.

Existing trees and riparian vegetation within the remaining buffer zone will be left intact. Reconstruction of Pea Vine Creek will not be necessary, the stream channel will not be disturbed.

NECESSITY OF ACTIVITIES

An additional bleeder shaft is necessary for the Century Mine. Drainage control is necessary for the bleeder shaft development area.

WATER QUALITY/QUANTITY AND ENVIRONMENTAL RESOURCES

Water quality in Unnamed Stream U-1B/ D-1B is good. Water analysis conducted prior to this submission shows all parameters within effluent limitations. Unnamed Stream "U-1B/ D-1B" is a relatively small intermittent stream, originating from head of hollow. Stream quantity ranges from 2.2 to 6.4 gpm, upstream and downstream of the proposed bleeder shaft construction area. Riparian vegetation within the buffer zone consists of typical plants, grasses, trees and shrubs.

Water quality in Unnamed Stream "U-2B/ D-2B" is good. Water analysis conducted prior to this submission shows all parameters within effluent limitations. Unnamed Stream "U-2B/ D-2B" is a relatively small intermittent stream, originating from head of hollow. Stream quantity ranges from 4.5 to 11.0 gpm, upstream and downstream of the proposed bleeder shaft construction area. Riparian vegetation within the buffer zone consists of typical plants, grasses, trees and shrubs.

Water quality in Pea Vine Creek is good. Water analysis conducted prior to submission of D-0425-3 shows all parameters within effluent limitations. Pea Vine Creek is a perennial stream. Stream quantity ranges from 0.3 to 0.6 cfs, upstream and downstream of the proposed bleeder shaft construction area. Riparian vegetation within the buffer zone consists of typical plants, grasses, trees and shrubs.

SEQUENCING OF OPERATIONS

The total life of the mine associated with this mining activity is projected to be approximately 20 years. The sequence of proposed activities is as follows; topsoil removal and stockpiling, construction of the diversion ditches and sump, followed by regrading of the site.

The buffer zone reconstruction activities will follow coal removal activities during reclamation of the surface facilities. Reclamation at the sump will follow establishment of vegetation on the reclaimed site. No 401/404 permits are required for this IBR area.

STREAM RECONSTRUCTION, DIVERSION, OR RELOCATION

No stream reconstructions, diversions, or relocations, are proposed for this project. The issue of buffer zone affects as well as the locations of the various activities were addressed in the previous sections of this document.

Normal site maintenance will be carried on throughout the life of the operation.

There is no upstream flooding potential. The storm volumes are small enough that the potential for downstream flooding should not increase over the current conditions.

REVEGETATION:

The following species and amounts of vegetation and/or trees and shrubs will be planted a minimum width of two and a half times the channel bottom width where any disturbance within the buffer zone has occurred.

SPECIES	AMOUNT/RATE (LBS./AC.)
<u>GRASSES AND LEGUMES</u>	

Perennial Ryegrass	5 lbs./ac
Foxtail Millet	5 lbs/ac
Red Top	3 lbs./ac
Birdsfoot Trefoil	5 lbs./ac
Appalow Lespedeza	15 lbs/ac

TREES AND SHRUBS

Green Ash

Sycamore Rows will be spread four (4) feet apart, with a staggered eight (8) foot
Buttonbush spacing between seedlings/cuttings.

Trees and shrubs will be planted as described above. Areas planted with riparian vegetation will not be cut or mowed so as to encourage the development of volunteer vegetation. Species of trees, shrubs, grasses and legumes which appear naturally will not be removed but will remain to enhance wildlife environment along the streams.

Care will be taken to disturb only that portion of the buffer zone necessary to accomplish the objectives of this permit. All work within the stream buffer zone will be performed in a timely and workmanlike manner to avoid, as best as can be accomplished, detrimental effects on the streams.

APPROVED ☒
DISAPPROVED ☐
DATE: 8-15-83
S: [Signature]
[Signature]
[Signature]

Yours truly,

Jack A. Hamilton & Associates, Inc

[Signature]

Suzie Utter


Addendum to Part 3, Page 27, Item G(5)
American Energy Corporation

Chief
ODNR, Division of Mineral Resources Management
1855 Fountain Square Court
Columbus, Ohio 43224

Re: D-0425, Small Area Drainage Exemption

Dear Chief:

American Energy Corporation is hereby requesting a Small Area Drainage Exemption at this proposed I.B.R. site. The S.A.D.E. is located in the southern portion of the I.B.R. area (the areas below diversion ditches DD-22A and DD-22B) and contains 1.3 acres. Prior disturbance, hay bales and/or silt fence will be placed where necessary along the westerly, southerly and easterly boundary of the I.B.R. to control runoff. Grading operations will then be undertaken to construct the pad and sump. The pad will be constructed with a slight grade to drain toward the sump. Immediately after construction, the disturbed areas will be seeded and mulched. Ditches DD-22A and DD-22B will direct unaffected overland flow away from the site. All runoff will meet the appropriate effluent limitations.

APPROVED	<input checked="checked" type="checkbox"/>
DISAPPROVED	<input type="checkbox"/>
DATE:	8-15-03
SIGNED	
	Chief

Yours truly,



State of Ohio
Department of Natural Resources
Division of Mineral Resources Management

RECEIPT FOR CASH OR BOND REVENUE

AMERICAN ENERGY CORP
43521 Mayhugh Hill Rd.
Beallsville, OH 43716

Receipt No: **7672**
Print Date: 11 Aug 2003
Law: D No: 425
OA App#: 277

Permit Type: Coal

DMR Acct: Type: Check/Bond No:
CD 941852

Institution:
THE FIRST NATIONAL BK

Amount: Purpose:
\$4,250.00 Bond
IBR 9

Memo: Certificate of deposit for the THE FIRST NATIONAL BANK
payable to the State of Ohio

-This receipt is to signify that revenue was received by the Ohio Division of Mineral Resources Management

-Please keep this receipt for your records

Thank you for your payment.

Distribution: ☐ Permittee ☐ Bond Agent ☐ File Columbus Office ☐ CAMBRIDGE

Received By: Tom F. Mason

AEC 08280

This Collateral Bond Indemnity Agreement shall be designated for (check one):

- () The permit issued upon Application No. _____
 (X) Coal Mining and Reclamation Permit No. _____
 (Includes IBR's and additional bond) IBR-0425-9
 () Adjacent Area Application No. _____

**STATE OF OHIO
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF RECLAMATION**

Collateral Bond Indemnity Agreement

Know all men by these presents that the undersigned

American Energy Corporation
 (Applicant or Permittee)

43521 Mayhugh Hill Road, Beallsville, Ohio
 (Address)

is hereby bound to the State of Ohio in the sum of four thousand, two-hundred fifty dollars (\$ 4,250.00) for the payment of which we hereby bind ourselves, and our heirs, administrators, executors, successors and assigns.

The condition of this obligation is such that if the above-named applicant shall faithfully perform all requirements of Chapter 1513. of the Revised Code, rules adopted pursuant thereto, and the provisions of the applicant's plan for mining and reclaiming, then this obligation is void; otherwise to remain in full force and effect.

This obligation is secured by (check appropriate block or blocks):

- () The deposit of cash, either in kind or through bank draft (check), with the State of Ohio, Division of Reclamation (check payable to Division of Reclamation or Treasurer, State of Ohio) \$ _____
- () The deposit in cash in one or more federally insured accounts, payable only to the State of Ohio upon demand.
 Account # _____
 Name of Bank _____ \$ _____

() Negotiable bond of the United States
or the State of Ohio with a face value
of \$ _____ sufficient
to secure of the above penal sum
Bond # _____

\$ _____

() Automatically renewable Certificate
of Deposit payable to the State
of Ohio in the amount of
CD # 941852
Name of Bank The First National Bank

\$ 4,250.00

Signed:

American Energy Corporation
Applicant

By: [Signature]

8/4/03
Date

President
Official Position

Witnessed:

Barbara L. Kusch 8-4-03
Name Date

[Signature]
Name Date

Ohio Department of Natural Resources
Division of Mineral Resources Management
Fountain Square, H-3
Columbus, Ohio 43224

AMERICAN ENERGY CORP
43521 Mayhugh Hill Rd.
Beallsville, OH 43716

InvoiceNo: 4626
Invoice Date: 07/28/2003
Print Date: 07/28/2003
Permit Type: C
Permit Law: D No: 425
Orig. App. No.: 277

Re: Request for Bonds and Fees

Dear Sir/Madam:

The following action has been approved or completed as of: 07/25/2003

Application: IBR-9

Bond and fees in the amounts shown below are due before the application can be issued. Bond may be in the form of Surety Bond, Cash Bond, Certificate of Deposit or Letter of Credit.

The fees and bond should be paid to the Division of Mineral Resources Management within thirty(30) days from the date shown above and should reference the given invoice number to insure proper credit. All checks should be payable to the State of Ohio and sent to my attention at the above address.

Bond Amount			Fee Amount		
1.70 x	\$2,500.00 =	\$4,250.00	1.7 x	\$75.00 =	\$127.50 Acreage Fee
Amount Paid:		\$0.00	Total:		\$127.50
Amount Paid:		\$0.00	Amount Paid:		\$0.00
Bond Due:	\$4,250.00		Fees Due:	\$127.50	

If you have any questions concerning this billing, please contact me at (614) 265-6633

Sincerely,

Tom Gibson
FOR Russ Gibson
Division of Mineral Resources Management

cc: File
CAMBRIDGE

THIS INVOICE MUST BE RETURNED WITH YOUR PAYMENT

Ohio Department of Natural Resources
Division of Mineral Resources Management
Fountain Square, H-3
Columbus, Ohio 43224

AMERICAN ENERGY CORP
43521 Mayhugh Hill Rd.
Beallsville, OH 43716

InvoiceNo: **4626**
Invoice Date: 07/28/2003
Print Date: 07/28/2003
Permit Type: **C**
Permit Law: **D** No: **425**
Orig. App. No.: 277

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Dear Sir/Madam:

The following action has been approved or completed as of: 07/25/2003

Application: IBR-9

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The fees and bond should be paid to the Division of Mineral Resources Management within thirty(30) days from the date shown above and should reference the given invoice number to insure proper credit. All checks should be payable to the State of Ohio and sent to my attention at the above address.

Bond Amount			Fee Amount		
1.70 x	\$2,500.00 =	\$4,250.00	1.7 x	\$75.00 =	\$127.50 Acreage Fee
			Total: \$127.50		
Amount Paid: \$0.00			Amount Paid: \$0.00		
Bond Due: \$4,250.00			Fees Due: \$127.50		

If you have any questions concerning this billing, please contact me at (614) 265-6633

Sincerely,

Tom Faison
FOR Russ Gibson
Division of Mineral Resources Management

cc: File
CAMBRIDGE

THIS INVOICE MUST BE RETURNED WITH YOUR PAYMENT

TRANSMITTAL OF CASH, SURETY BOND, LETTER OF CREDIT OR CERTIFICATE OF DEPOSIT
TO THE OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINERAL RESOURCES MANAGEMENT

Please submit a completed copy of this form, or the same information on a plain sheet of paper, each time you send a check or bond to the Division of Mineral Resources Management.

<u>PURPOSE OF PAYMENT</u>	<u>APPLICATION/PERMIT NUMBER</u>	<u>AMOUNT</u>
1. Bond		
a. Initial Bond (New Application)	_____	\$ _____
b. Additional Bond	_____	\$ _____
c. Bond for I.B.R.	<u>1BR-0425-9</u>	\$ <u>4250.00</u>
d. Bond for substitution	_____	\$ _____
2. Acreage Fees		
a. Initial (Application)	_____	\$ _____
b. I.B.R.	<u>1BR-0425-9</u>	\$ <u>127.50</u>
c. Renewal	_____	\$ _____
3. Civil Penalty Assessment (Always include CPA No.)	_____	\$ _____
4. Other (please specify)	_____	\$ _____

Name of Company: American Energy Corporation

This Collateral Bond Indemnity Agreement shall be designated for (check one):

- () The permit issued upon Application No. _____
(X) Coal Mining and Reclamation Permit No. _____
(Includes IBR's and additional bond) IBR-0425-9
() Adjacent Area Application No. _____

**STATE OF OHIO
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION**

Collateral Bond Indemnity Agreement

Know all men by these presents that the undersigned

American Energy Corporation
(Applicant or Permittee)

43521 Mayhugh Hill Road, Beallsville, Ohio
(Address)

is hereby bound to the State of Ohio in the sum
of four thousand, two-hundred fifty dollars
(\$ 4,250.00) for the payment of which we hereby bind
ourselves, and our heirs, administrators, executors, successors and
assigns.

The condition of this obligation is such that if the above-named
applicant shall faithfully perform all requirements of Chapter 1513.
of the Revised Code, rules adopted pursuant thereto, and the
provisions of the applicant's plan for mining and reclaiming, then
this obligation is void; otherwise to remain in full force and effect.

This obligation is secured by (check appropriate block or blocks):

- () The deposit of cash, either in kind or
through bank draft (check), with the State
of Ohio, Division of Reclamation (check
payable to Division of Reclamation or
Treasurer, State of Ohio) \$ _____
- () The deposit in cash in one or more
federally insured accounts, payable
only to the State of Ohio upon demand.
Account # _____
Name of Bank _____ \$ _____

THE FIRST NATIONAL BANK
345 Highway 7 North
Powhatan Point, Ohio 43942

Number: 941852

Account Holder Name(s):

AMERICAN ENERGY CORPORATION

Account Number	Issue Date	Deposit Amount	Maturity Date
941852	August 4, 2003	4,250.00	August 4, 2004

INTEREST RATE INFORMATION

- ☒ Your interest rate and annual percentage yield will not change for the term of your deposit.
- ☐ Your interest rate and annual percentage yield may change:
- ☐ At our discretion, we may change the interest rate on your Account.
- ☐ The interest rate on your Account is based on the following index: _____
- ☐ plus ☐ minus a margin of: _____
- ☐ The interest rate on your Account may change (frequency): _____ The interest rate will never change by more than: _____
- ☐ The interest rate will never be ☐ less than _____ or ☐ more than _____.
- Interest will begin to accrue ☐ on the business day you deposit non cash items ☐ no later than the business day we receive credit for the deposit of non cash items.
- We use the ☒ daily balance method ☐ average daily balance method ("Balance") to calculate interest on your Account on an interest accrual basis of _____ days.
- Interest will be compounded: semi-annually and credited _____. The annual percentage yield assumes interest will remain on deposit until maturity. You must also maintain the Deposit Amount to obtain the disclosed annual percentage yield. A withdrawal will reduce earnings.
- ☐ If you close your Account before interest is credited, you will not receive the accrued interest.
- Interest on your Account will be credited by: ☐ Adding the interest to the principal ☐ Depositing the interest to an account # _____
- ☐ Mailing the interest by check to you at: _____

Balance or Time Period	Interest Rate	Annual Percentage Yield
12 Months	1.75%	1.76%

You must deposit 1,000.00 to open this Account. TRANSACTION LIMITATIONS

- ☒ You may not make deposits into your Account until the Maturity Date.
- ☐ You may make _____ deposits into your Account each _____. ☐ Minimum Deposit Amount _____
- You may not make withdrawals from your Account until the Maturity date. In addition to the minimum required early withdrawal penalty as described on the reverse, we may impose a penalty of 1 Month's Interest
- if you withdraw any of the deposited funds before the maturity date. The penalty will be calculated using the interest rate in effect
- ☒ on the date your account was opened or renewed ☐ on the date of your withdrawal.
- ☒ This Account will automatically renew at maturity. You will have 7 calendar days (grace period) after the maturity date to withdraw funds without penalty.
- ☐ This Account will not renew automatically at maturity. If you do not renew the Account, your deposit will be placed in
- ☐ an interest bearing Account ☐ a non-interest bearing Account.

OTHER INFORMATION

- ☐ You will receive _____ as a bonus ☐ when you open your Account, ☐ on _____
- ☐ You must maintain a Balance of _____ to obtain the bonus. To earn the bonus, _____ must remain on deposit
- ☐ for _____ ☐ until _____

Account Fees: _____

NON TRANSFERABLE - NON NEGOTIABLE

Signature and Title of Authorized Financial Institution Signer

Rebecca J. Cole, Asst. Cashier

2-93

Attachment #3

This Collateral Bond Indemnity Agreement shall be designated for (check one):

- () The permit issued upon Application No. _____
(X) Coal Mining and Reclamation Permit No. _____
(Includes IBR's and additional bond) IBR-0425-9
() Adjacent Area Application No. _____

STATE OF OHIO
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION

Collateral Bond Indemnity Agreement

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American Energy Corporation
(Applicant or Permittee)

43521 Mayhugh Hill Road, Beallsville, Ohio
(Address)

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(\$ 4,250.00) for the payment of which we hereby bind ourselves, and our heirs, administrators, executors, successors and assigns.

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This obligation is secured by (check appropriate block or blocks):

- () The deposit of cash, either in kind or through bank draft (check), with the State of Ohio, Division of Reclamation (check payable to Division of Reclamation or Treasurer, State of Ohio) \$ _____
- () The deposit in cash in one or more federally insured accounts, payable only to the State of Ohio upon demand.
Account # _____
Name of Bank _____ \$ _____

AEC 08288

☐ plus ☐ minus a margin of: _____
☐ The interest rate on your Account may change (frequency): _____. The interest rate will never change by more than: _____
☐ The interest rate will never be ☐ less than _____ or ☐ more than _____
Interest will begin to accrue ☐ on the business day you deposit non cash items ☐ no later than the business day we receive credit for the deposit of non cash items.
We use the ☒ daily balance method ☐ average daily balance method ("Balance") to calculate interest on your Account on an interest accrual basis of _____ days.
Interest will be compounded: semi-annually and credited _____. The annual percentage yield assumes interest will remain on deposit until maturity. You must also maintain the Deposit Amount to obtain the disclosed annual percentage yield. A withdrawal will reduce earnings.
☐ If you close your Account before interest is credited, you will not receive the accrued interest.
Interest on your Account will be credited by: ☐ Adding the interest to the principal ☐ Depositing the interest to an account # _____
☐ Mailing the interest by check to you at: _____

Balance or Time Period	Interest Rate	Annual Percentage Yield
12 Months	1.75%	1.76%

You must deposit 1,000.00 to open this Account.
☒ You may not make deposits into your Account until the Maturity Date.
☐ You may make _____ deposits into your Account each _____. ☐ Minimum Deposit Amount _____
You may not make withdrawals from your Account until the Maturity date. In addition to the minimum required early withdrawal penalty as described on the reverse, we may impose a penalty of 1 Month's Interest
if you withdraw any of the deposited funds before the maturity date. The penalty will be calculated using the interest rate in effect ☒ on the date your account was opened or renewed ☐ on the date of your withdrawal.
☒ This Account will automatically renew at maturity. You will have 7 calendar days (grace period) after the maturity date to withdraw funds without penalty.
☐ This Account will not renew automatically at maturity. If you do not renew the Account, your deposit will be placed in ☐ an interest bearing Account ☐ a non-interest bearing Account.

OTHER INFORMATION

☐ You will receive _____ as a bonus ☐ when you open your Account, ☐ on _____
☐ You must maintain a Balance of _____ to obtain the bonus. To earn the bonus, _____ must remain on deposit ☐ for _____ ☐ until _____
Account Fees _____

NON TRANSFERABLE - NON NEGOTIABLE

Signature and Title of Authorized Financial Institution Signer Rebecca D Cole, Asst. Cashier



Ohio Department of Natural Resources

BOB TAFT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

Division of Mineral Resources Management

Michael L Sponsler, Chief

1855 Fountain Square Court-Bldg. H-2

Columbus, Ohio 43224-1383

September 26, 2003
Phone (614) 265-6633 Fax: (614) 265-7999

American Energy Corporation
43521 Mayhugh Hill Road
Beallsville OH 43716

RE: Historic and Prehistoric Properties Clearance
Permit: # D-0425 IBR: D-0425-9; 1.7 acres

Dear Applicant:

Your proposed permit area has been given a historic and prehistoric properties clearance by the Division of Mineral Resources Management. This clearance is based on the following reasons: The applicant submitted a Phase I archaeological survey on this Incidental Boundary Revision (IBR) prior to the IBR application submission to the Division. The Division is in agreement with the conclusion of both the principal investigator and OHPO that the historic structure in the IBR does not meet any of the eligibility criteria for listing on the National Register of Historic Places.

Therefore, no further coordination on historic and prehistoric properties with the Division will be necessary for this project unless the project size increases or additional information is received by the Division on the presence of historic or prehistoric properties in the project area.

If you have any questions regarding this matter, please contact me at (614) 265-6641.

Sincerely,

Jeffrey C. Reichwein
Jeffrey C. Reichwein, Ph.D.

Archaeologist

Division of Mineral Resources
Management

JCR:pat
Enclosures

cc: Ohio Historic Preservation Office

Consultant: Jack A. Hamilton and Associates, Inc.

Inspector: Cambridge District Office

File



Ohio Department of Natural Resources

BOB TAFT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

Division of Mineral Resources Management

Michael L. Sponsler, Chief
1855 Fountain Square Court-Bldg. H-2
Columbus, Ohio 43224-1383

Phone (614) 265-6633 Fax: (614) 2657999

October 27, 2003

American Energy Corporation
43521 Mayhugh Hill Road
Beallsville OH 43716

RE: Historic and Prehistoric Properties Clearance
Permit: # D-425-3 (IBR: 1.7 acres: 425-9)

Dear Applicant:

Your proposed permit area has been given a historic and prehistoric properties clearance by the Division of Mineral Resources Management. This clearance is based on the following reasons: The Division is in agreement with the principal investigator that sites 33BL344 and BEL-1361-15 do not meet any of the eligibility criteria for listing on the National Register of Historic Places.

Therefore, no further coordination on historic and prehistoric properties with the Division will be necessary for this project unless the project size increases or additional information is received by the Division on the presence of historic or prehistoric properties in the project area.

If you have any questions regarding this matter, please contact me at (614) 265-6641.

Sincerely,

Jeffrey C. Reichwein, Ph.D.
Archeologist
Division of Mineral Resources
Management

JCR:pat

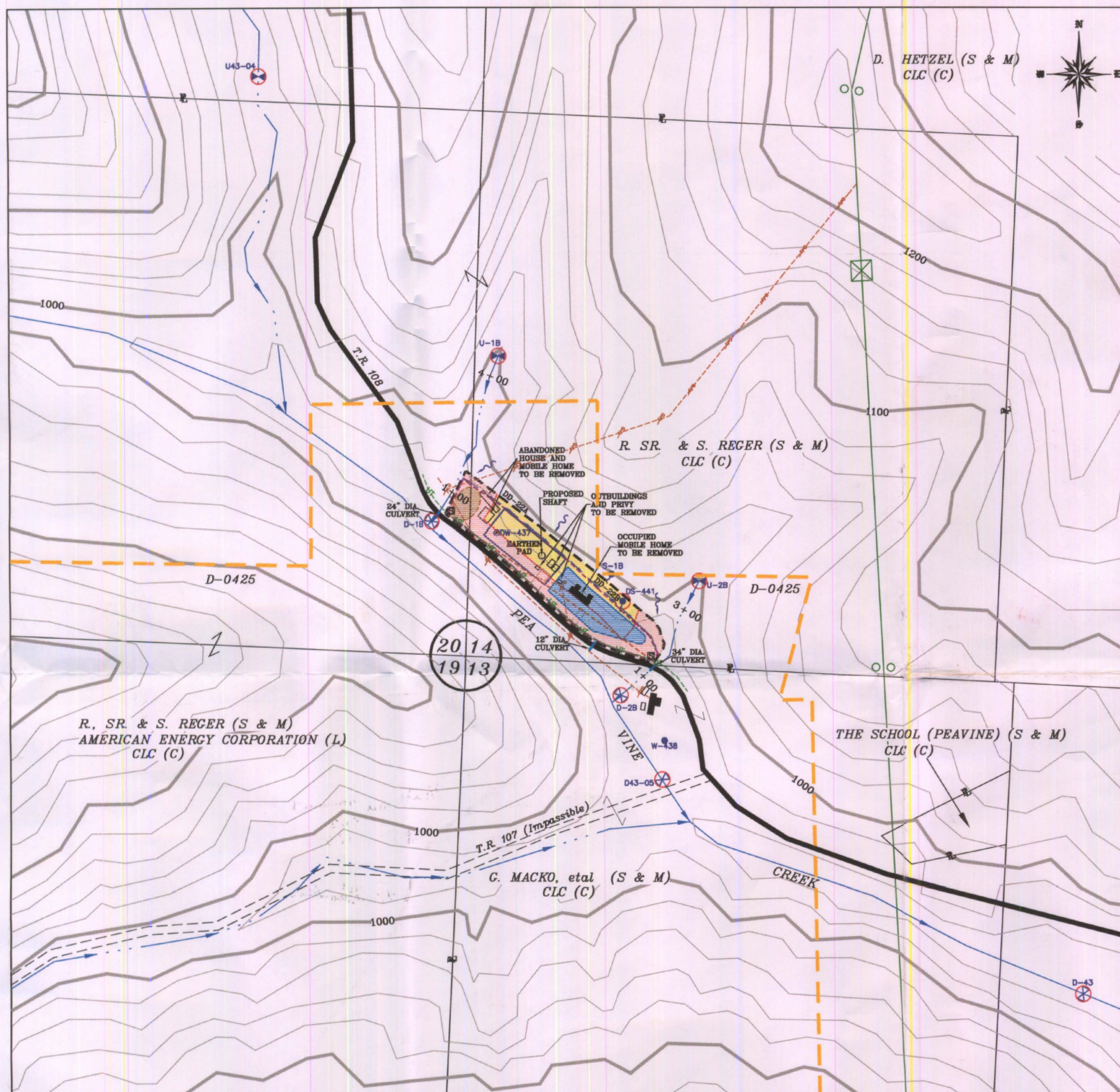
Enclosures

cc: Ohio Historic Preservation Office

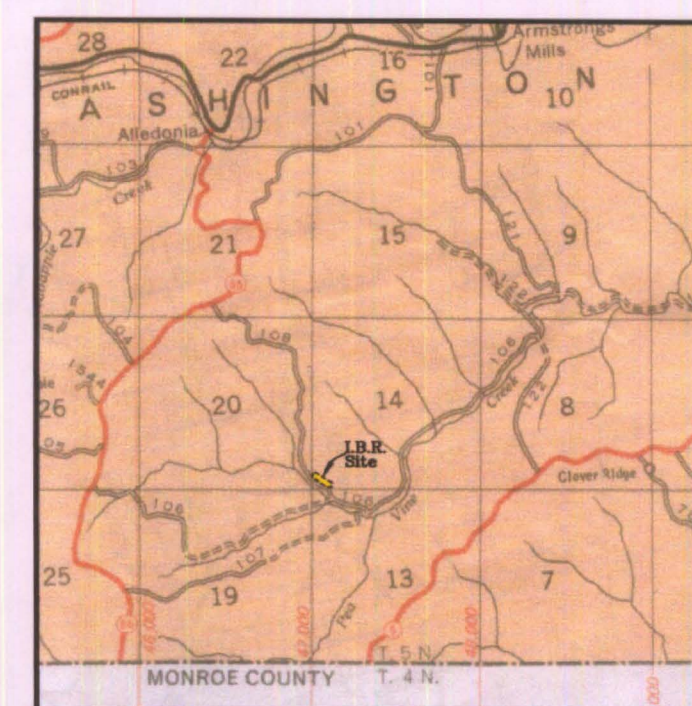
Inspector: Cambridge District Office

Consultant: Jack A. Hamilton and Associates, Inc.

File



NOTE: THE PRE-MINING LAND USES ARE RESIDENTIAL AND UNDEVELOPED. THE POST-MINING LAND USE WILL BE PASTURELAND. SEE LAND USE EXHIBIT MAP.



LOCATION MAP
SCALE: 1" = 1 MILE

LEGEND

- | | |
|--|----------------------------------|
| AREA TO BE INCLUDED UNDER I.B.R. 1.7 ACRES | OCCUPIED DWELLING |
| DIVERSION DITCH | UNOCCUPIED DWELLING |
| TOPSOIL STORAGE | PROPERTY LINE |
| SUMP | PUBLIC ROAD |
| STREAM BUFFER ZONE | DIRECTION OF FLOW |
| UNDEVELOPED SPRING | UPSTREAM SAMPLE SITE |
| INTERMITTENT STREAM | DOWNSTREAM SAMPLE SITE |
| PERENNIAL STREAM | DEVELOPED SPRING |
| S.A.D.E. 1.3 ACRES | WELL |
| ENTRANCE SIGN | UNDERGROUND TELEPHONE AMERICTECH |
| | AERIAL POWER LINE |

INCIDENTAL BOUNDARY REVISION MAP PERMIT D-0425

AMERICAN ENERGY CORPORATION
43521 MAYHUGH HILL ROAD
BEALLSVILLE, OH 43716

SITUATED IN SECTIONS 14 & 20, TOWNSHIP 5, RANGE 4,
WASHINGTON TOWNSHIP, BELMONT COUNTY, OHIO.

LOCATED ON THE CAMERON
USGS 7 1/2 MINUTE QUADRANGLE MAP

SCALE: 1" = 200' CONTOUR INTERVAL: 20'

DATE PREPARED: JUNE 6, 2003
DATE REVISED: JULY 24, 2003

I, THE UNDERSIGNED, HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS TRUE AND CORRECT.

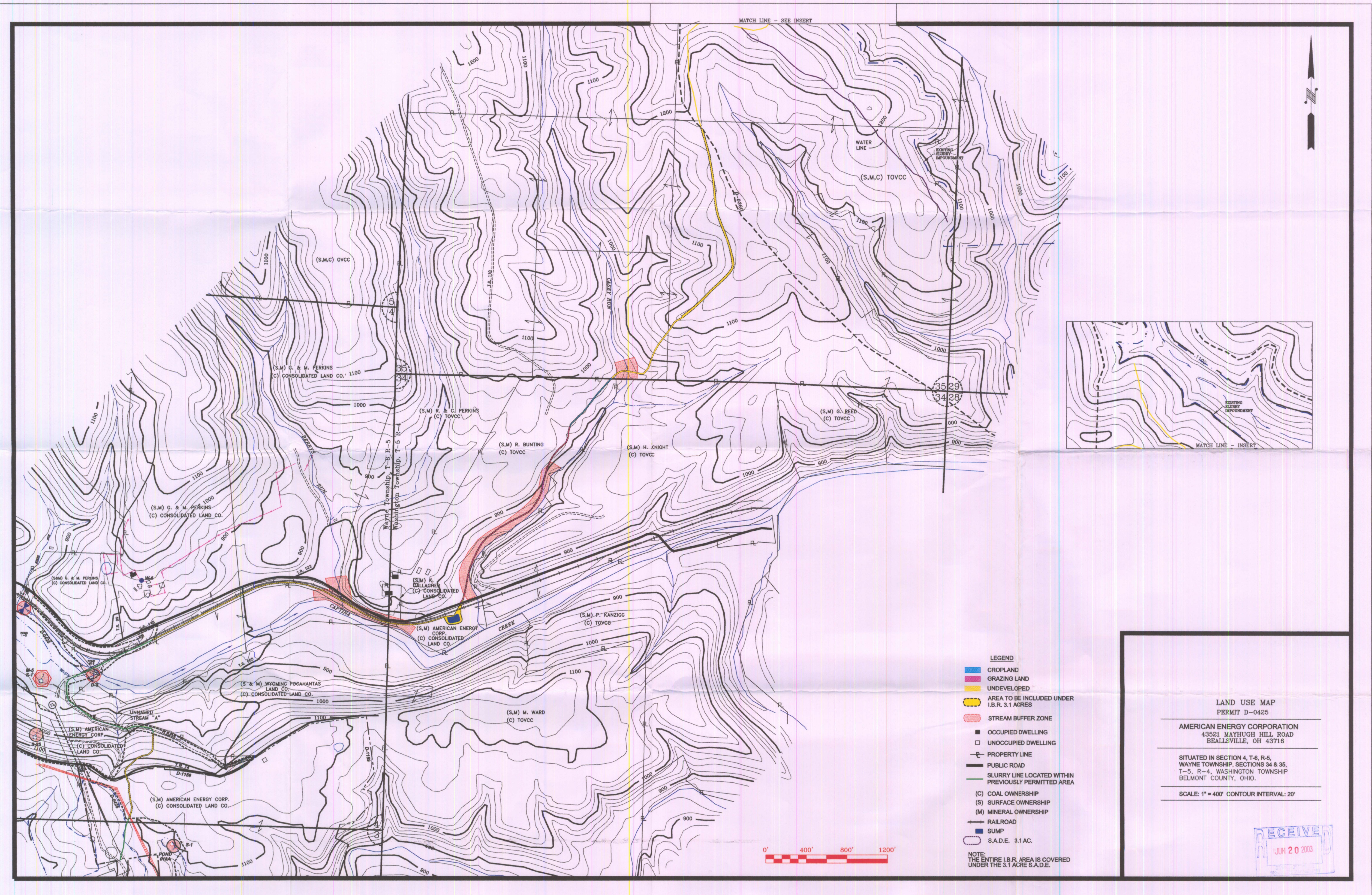
Lachia Hamblin
REGISTERED SURVEYOR

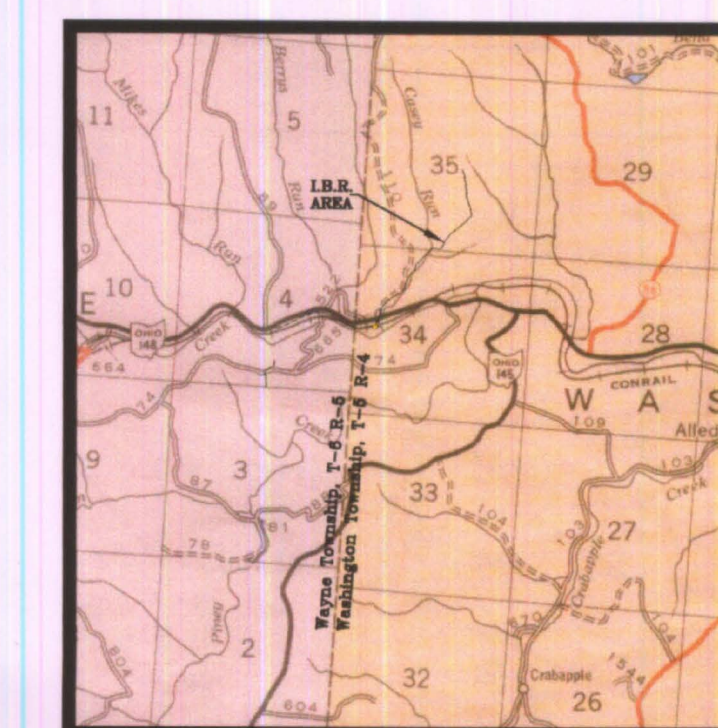
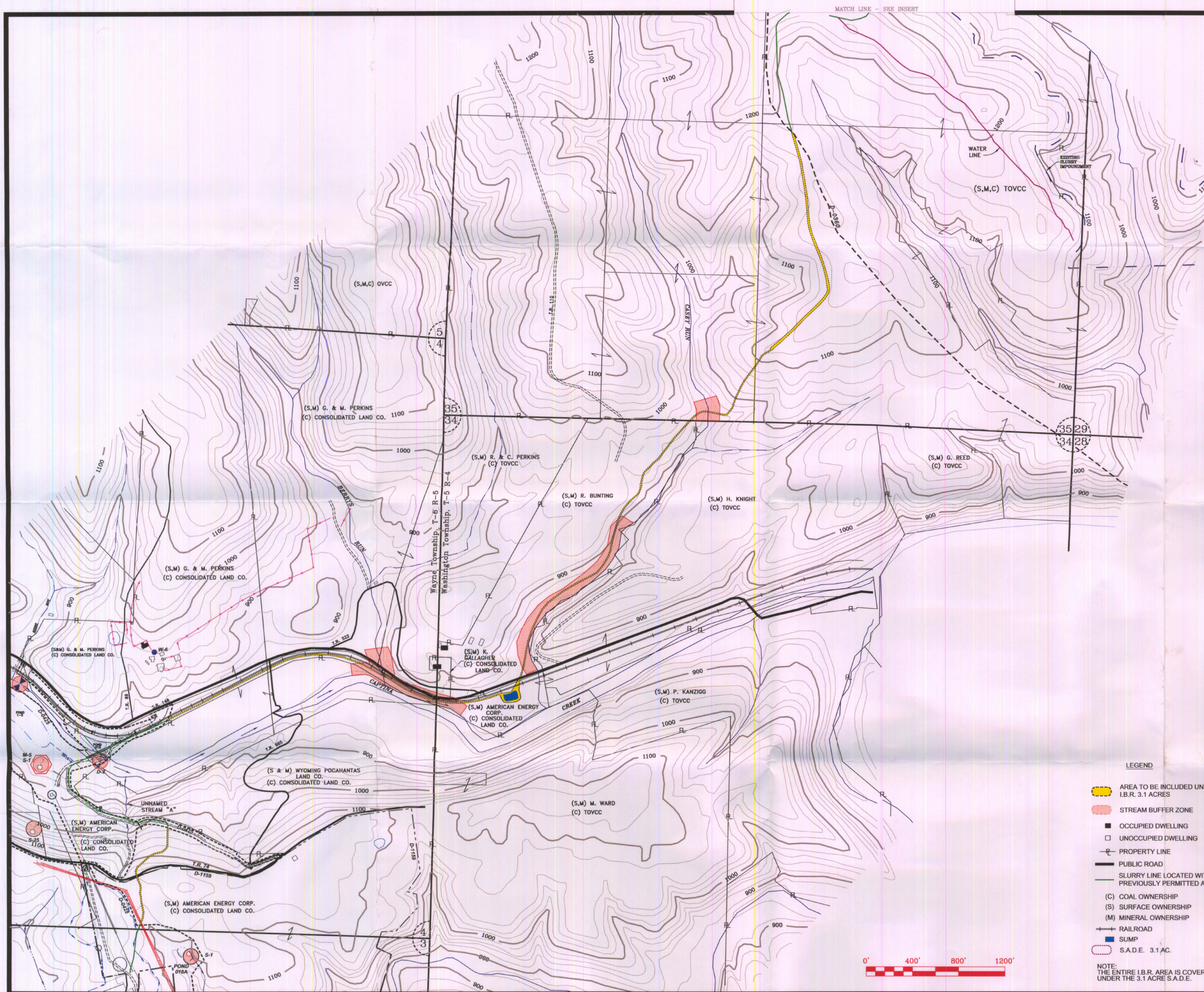
6524
#

ACKNOWLEDGED BEFORE ME A NOTARY PUBLIC
THIS 24th DAY OF July, 2003

Arlene Warner
Notary Public, State of Ohio
My Commission Expires 1/23/07

Arlene Warner
NOTARY PUBLIC

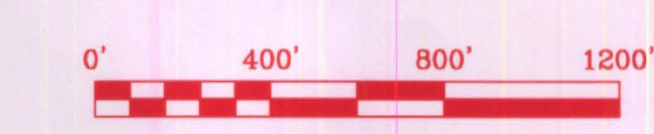




LOCATION MAP
SCALE: 1" = 1 MILE
LOCATED ON THE HUNTER USGS 7 1/2
MINUTE QUADRANGLE MAP



- LEGEND
- AREA TO BE INCLUDED UNDER I.B.R. 3.1 ACRES
 - STREAM BUFFER ZONE
 - OCCUPIED DWELLING
 - UNOCCUPIED DWELLING
 - PROPERTY LINE
 - PUBLIC ROAD
 - SLURRY LINE LOCATED WITHIN PREVIOUSLY PERMITTED AREA
 - (C) COAL OWNERSHIP
 - (S) SURFACE OWNERSHIP
 - (M) MINERAL OWNERSHIP
 - RAILROAD
 - SUMP
 - S.A.D.E. 3.1 AC.
- NOTE:
THE ENTIRE I.B.R. AREA IS COVERED UNDER THE 3.1 ACRE S.A.D.E.



INCIDENTAL BOUNDARY REVISION MAP
PERMIT D-0425

AMERICAN ENERGY CORPORATION
43521 MAYHUGH HILL ROAD
BEALLSVILLE, OH 43716

SITUATED IN SECTION 4, T-6, R-5,
WAYNE TOWNSHIP, SECTIONS 34 & 35,
T-5, R-4, WASHINGTON TOWNSHIP
BELMONT COUNTY, OHIO.

SCALE: 1" = 400' CONTOUR INTERVAL: 20'

DATE PREPARED: MARCH 11, 2003
DATE REVISED: MARCH 18, 2003
DATE REVISED: MARCH 24, 2003
DATE REVISED: MAY 22, 2003

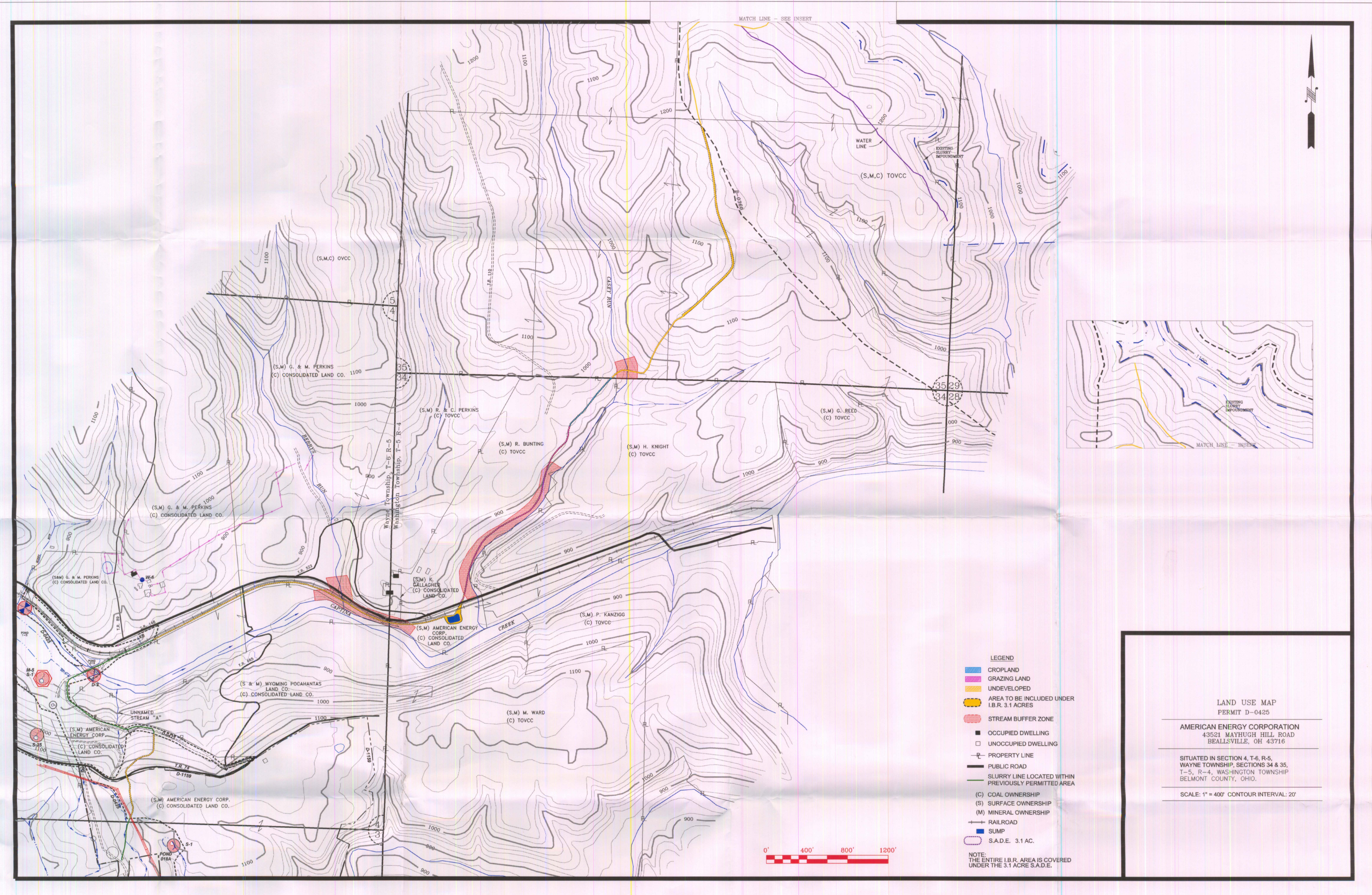
I, THE UNDERSIGNED, HEREBY CERTIFY THAT TO THE BEST OF MY
KNOWLEDGE AND BELIEF THIS MAP IS TRUE AND CORRECT.

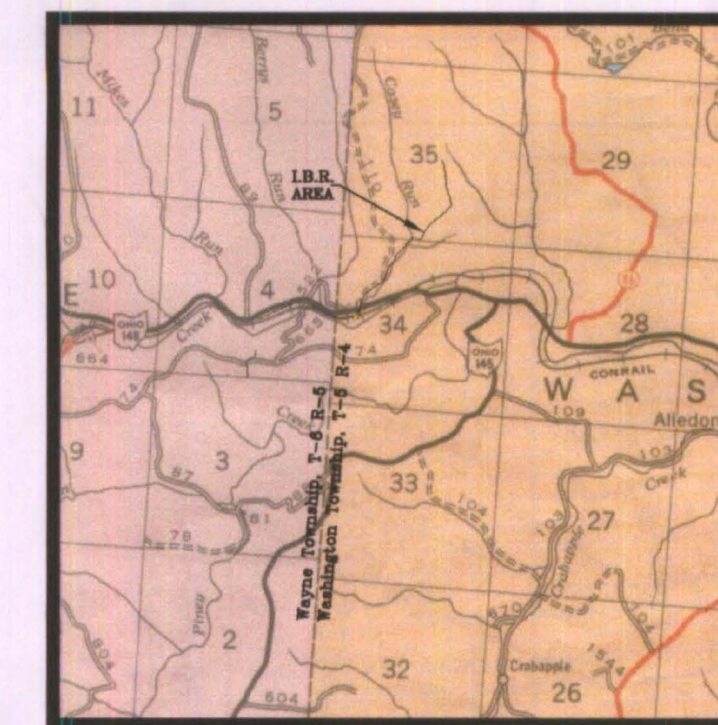
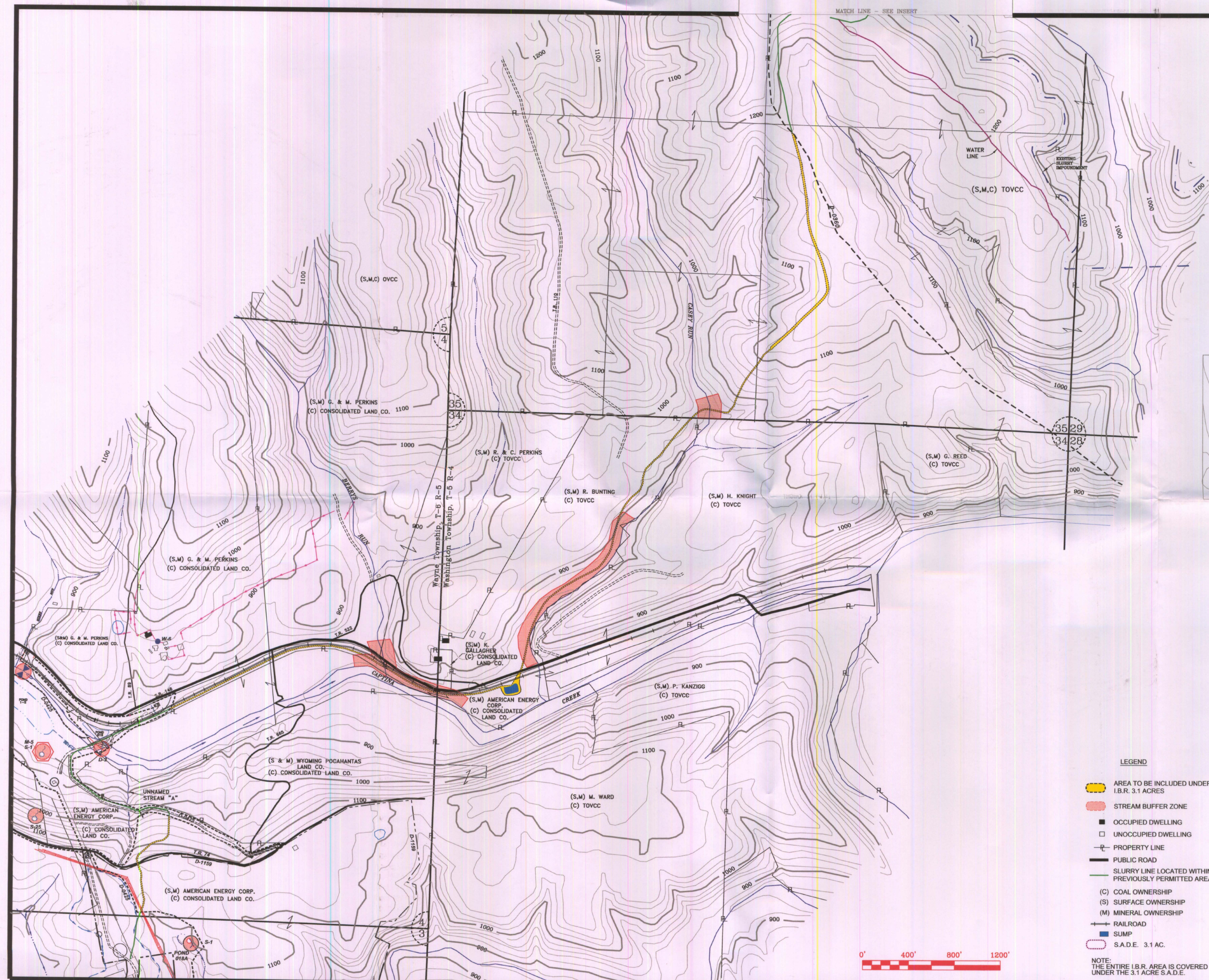
Cathy M. Billman
REGISTERED SURVEYOR

ACKNOWLEDGED BEFORE ME A NOTARY PUBLIC
THIS 25 DAY OF May 2003

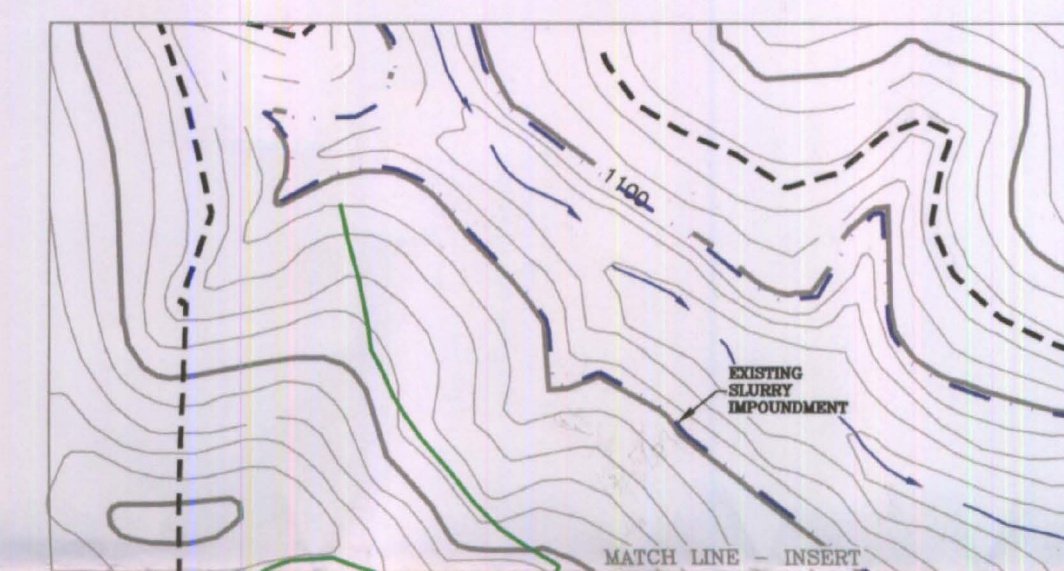
TERESA L. DEAL
Notary Public, State of Ohio
Recorded in 135000-17-0000

NOTARY PUBLIC





LOCATION MAP
SCALE: 1" = 1 MILE
LOCATED ON THE HUNTER USGS 7 1/2
MINUTE QUADRANGLE MAP



LEGEND

- AREA TO BE INCLUDED UNDER I.B.R. 3.1 ACRES
- STREAM BUFFER ZONE
- OCCUPIED DWELLING
- UNOCCUPIED DWELLING
- PROPERTY LINE
- PUBLIC ROAD
- SLURRY LINE LOCATED WITHIN PREVIOUSLY PERMITTED AREA
- COAL OWNERSHIP
- SURFACE OWNERSHIP
- MINERAL OWNERSHIP
- RAILROAD
- SUMP
- S.A.D.E. 3.1 AC.

NOTE:
THE ENTIRE I.B.R. AREA IS COVERED
UNDER THE 3.1 AC. S.A.D.E.

INCIDENTAL BOUNDARY REVISION MAP PERMIT D-0425

AMERICAN ENERGY CORPORATION
43521 MAYHUGH HILL ROAD
BEALLSVILLE, OH 43716

SITUATED IN SECTION 4, T-6, R-5,
WAYNE TOWNSHIP, SECTIONS 34 & 35,
T-5, R-4, WASHINGTON TOWNSHIP
BELMONT COUNTY, OHIO.

SCALE: 1" = 400' CONTOUR INTERVAL: 20'

DATE PREPARED: MARCH 11, 2003

DATE REVISED: MARCH 18, 2003

DATE REVISED: MARCH 24, 2003

DATE REVISED: MAY 22, 2003

I, THE UNDERSIGNED, HEREBY CERTIFY THAT TO THE BEST OF MY
KNOWLEDGE AND BELIEF THIS MAP IS TRUE AND CORRECT.

Carlton M. Dillman
REGISTERED SURVEYOR

9199
#

ACKNOWLEDGED BEFORE ME A NOTARY PUBLIC
THIS 19th DAY OF June, 2003

Notary Public, State of Ohio
My Commission Expires 12/31/2007

Debra L. Turner
NOTARY PUBLIC